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FEDERAL REGISTER

VOLUME 25 NUMBER 148

Washington, Saturday, July 30, 1960

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[Amdt. 1]

PART 723—CIGAR-FILLER TOBACCO, CIGAR-BINDER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

1961–62 Marketing Quota Regulations

This amendment is based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U.S.C. 1311–15), and is issued solely for the purposes of making corrections in the above designated regulations which were published in the FEDERAL REGISTER of July 15, 1960 (25 F.R. 6671).

Section 723.1211 is amended by changing the word "date" in the last sentence thereof to the word "data."

Section 723.1212 is amended by changing the figure "43" in paragraph (f) (1) thereof to the figure "42."

Issued at Washington, D.C., this 27th day of July 1960.

CLARENCE D. PALMBY,
Acting Administrator,
Commodity Stabilization Service.

[F.R. Doc. 60–7133; Filed, July 29, 1960; 8:50 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 208]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 922.508 Valencia Orange Regulation 208.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 28, 1960.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., July 31, 1960, and ending at 12:01 a.m., P.s.t., August 7, 1960, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 625,000 cartons;

(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 29, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–7181; Filed, July 29, 1960; 11:23 a.m.]

[Peach Order 1, Amdt. 1]

PART 934—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, and Order No. 34 (7 CFR Part 934), regulating the handling of fresh peaches grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Washington Fresh Peach Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that limitation of shipments of fresh peaches, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restriction on the handling of fresh peaches grown in Washington.

(b) It is, therefore, ordered as follows: The provisions in paragraph (b) (6) of § 934.301 (Peach Order 1; 25 F.R. 6260) are hereby amended to read as follows:

(6) The terms "U.S. No. 1" and "U.S. No. 2" shall have the same meaning as when used in the United States Standards for Peaches (§§ 51.1210 to 51.1223 of this title); the term "loose or jumble pack" shall mean that the peaches are not placed in the container in rows, cups or compartments, or otherwise are not placed in the container in symmetrical order; and terms used in the marketing agreement and order shall, when used herein, have the same meaning as given

to the respective term in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated July 26, 1960, to be effective on and after 12:01 a.m., P.s.t., July 27, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–7112; Filed, July 29, 1960; 8:48 a.m.]

[Lemon Reg. 857]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.964 Lemon Regulation 857.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 26, 1960.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., July 31, 1960, and ending at 12:01 a.m. P.s.t., August 7, 1960, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 325,500 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 28, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–7142; Filed, July 29, 1960; 8:50 a.m.]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

Order Finding That Estimated Season Average Price of Prunes for 1960–61 Crop Year Will Be in Excess of Parity and Providing for the Special Regulation of Prunes

In accordance with the provisions of paragraph (a) of § 993.50 of Marketing Agreement No. 110, as amended, and Order No. 93, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the "act", it is hereby found that:

(a) The estimated season average price for prunes for the 1960–61 crop year, which will begin on August 1, 1960, will be in excess of the price level (i.e., parity) contemplated by the provisions of section 2(1) of the act; and

(b) The handling of prunes during such crop year in accordance with the provisions of paragraphs (b), (c), (d), (e) and (f) of § 993.50 will tend to effectuate the declared policy of the act by establishing and maintaining such minimum standards of quality and maturity and such grading and inspection requirements for prunes in interstate commerce as will effectuate such orderly marketing of prunes as will be in the public interest, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish thereunder.

On July 19, 1960, the Prune Administrative Committee—the agency established pursuant to the order to administer the terms and provisions thereof—reviewed all matters pertaining to a proposed marketing policy for the 1960–61 crop year and determined that the 1960 prices to producers for dried prunes would be in excess of the price level (i.e., parity) contemplated by the provisions of section 2(1) of the act. Available information indicates that, for the 1960–61 crop year, the total supply of prunes will be somewhat less than the probable market requirements in domestic and foreign commerce (including carryout), and that the prospective demand situation will be enhanced by small, early-season inventories of prunes, prune juice and concentrate, and by below-normal production in foreign prune producing countries.

Since the provisions of § 993.50 are being made effective in lieu of the requirements of §§ 993.48 and 993.49 (which would otherwise be operative in the absence of this determination) for the 1960–61 crop year, the minimum standards as to grade for natural condition prunes or processed prunes, as the case may be, shall be those set forth in § 993.97 (Exhibit A), as currently in effect (24 F.R. 5938). Therefore, the respective combined tolerance allowances of 20 percent as provided in § 993.97 (Exhibit A) for the defects included therein would be in effect during the 1960–61 crop year instead of the modified combined tolerance allowances of 15 percent made effective August 20, 1957 (22 F.R. 6645) pursuant to the provisions of §§ 993.48(c) and 993.49(c). Moreover, the pack regulations, which became effective June 20, 1958 (§§ 993.501–993.518; 23 F.R. 3373) pursuant to § 993.49(b)(3) would be inoperative during the 1960–61 crop year, the same as for the current crop year.

It is, therefore ordered, That:

1. The provisions of paragraphs (b), (c), (d), (e), and (f) of § 993.50 shall apply to all handling of prunes during the 1960–61 crop year beginning August 1, 1960.

2. The modified (22 F.R. 6645) combined tolerance allowances of 15 percent for the defects contained in § 993.97 (Exhibit A), effective August 20, 1957, shall not be operative for the 1960–61 crop year.

3. The pack regulations, effective June 20, 1958 (§§ 993.501–993.518; 23 F.R. 3373), shall not be operative for the 1960–61 crop year.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) and for making the provisions hereof effective August 1, 1960, in that: (1) The regulatory provisions pursuant to the amended marketing agreement and order currently in effect for an above parity crop year (24 F.R. 5938) will terminate at the end of the present crop year (i.e., on July 31, 1960); (2) in the absence of the requirements pursuant hereto becoming effective August 1, 1960, the beginning of the 1960–61 crop year, more restrictive requirements pursuant to §§ 993.48 and 993.49 would, unless sooner suspended or

modified, automatically become operative at that time with respect to the handling of prunes during that crop year; (3) the regulatory provisions pursuant to the amended marketing agreement and order that are hereby ordered to be in effect during the 1960–61 crop year are authorized by the said marketing agreement and order and are substantially the same as those in effect during the current crop year and are well known to handlers; (4) handlers will need to know as soon as possible the regulations which will apply to the handling of prunes during the 1960–61 crop year so as to arrange their operations accordingly; and (5) compliance herewith will require no advance preparation by handlers.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated July 26, 1960, to become effective August 1, 1960.

FLOYD F. HEDLUND,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 60–7113; Filed, July 29, 1960; 8:48 a.m.]

[Milk Order 94]

PART 994—MILK IN COLORADO SPRINGS-PUEBLO MARKETING AREA

Order Amending Order

§ 994.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Colorado Springs-Pueblo marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than August 1, 1960. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued July 7, 1960, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued July 18, 1960. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective August 1, 1960, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Colorado Springs-Pueblo marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

§ 994.51 [Amendment]

Delete § 994.51(a) and substitute therefor the following:

(a) *Class I milk.* During the period through January 1962, the basic formula price for the preceding month plus $2.20.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 29th day of July, 1960, to be effective on and after the 1st day of August 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 60–7172; Filed, July 29, 1960; 10:19 a.m.]

[Prune Order 1]

PART 1029—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

Limitation of Shipments

§ 1029.301 Prune Order 1.

(a) *Findings.* (1) Pursuant to the marketing agreement, and Order No. 129 (7 CFR Part 1029; 25 F.R. 6350), regulating the handling of fresh prunes grown in designated counties in Washington, and in Umatilla County, Oregon, effective July 7, 1960, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the recommendations of the Washington-Oregon Fresh Prune Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of fresh prunes, as hereinafter set forth, pursuant to the provisions of § 1029.52(a)(2) of the marketing agreement and order will tend to effectuate such orderly marketing of such prunes as will be in the public interest; will tend to effectuate the declared policy of the act, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 1, 1960. A reasonable determination as to the supply of, and the demand for, prunes must await the development of the crop and adequate information thereon was not available to the Washington-Oregon Fresh Prune Marketing Committee until July 25, 1960; recommendation as to the need for, and the extent of, regulation of shipments of such prunes was made at the meeting of said committee on July 25, 1960, after consideration of all available information relative to the supply and demand conditions for such prunes, at which time the recommendation and

supporting information were submitted to the Department; shipments of the current crop of such prunes will begin on or about August 1, 1960, and this section should be applicable, insofar as practicable, to all shipments of such prunes in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* During the period beginning at 12:01 a.m., P.s.t., August 1, 1960, and ending at 12:01 a.m., P.s.t., November 1, 1960, no handler shall handle any lot of prunes to any destination other than export (as defined in § 1029.15 of this part) unless such prunes meet the following applicable requirements:

(1) *Minimum grade requirement.* Such prunes shall grade at least U.S. No. 1, except that any prunes having not less than two-thirds (⅔) of the surface purplish color may be shipped if they otherwise grade at least U.S. No. 1.

(2) Notwithstanding any other provision of this regulation, any individual shipment of prunes which, in the aggregate, does not exceed 300 pounds net weight may be handled without regard to the restrictions specified in paragraph (b) of this section or in §§ 1029.41 (Assessment) and 1029.55 (Inspection and certification).

(3) The term "U.S. No. 1" shall have the same meaning as when used in the United States Standards for Fresh Plums and Prunes (§§ 51.1520 to 51.1537 of this title); the term "purplish color" shall have the same meaning as when used in the Washington State Department of Agriculture Standards for Italian Prunes (May 1954); and, except as otherwise specified, all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 28, 1960.

FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60–7162; Filed, July 29, 1960; 9:15 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.440]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

Designation of Differential Posts

Section 325.15 *Designation of differential posts,* is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following July 23, 1960, paragraph (a) is amended by the deletion of the following:

Nyasaland, all posts except Blantyre.

2. Effective as of the beginning of the first pay period following July 23, 1960, paragraph (b) is amended by the deletion of the following:

Iran, all posts except Dezful, Firuzkuh, Isfahan, Kerman, Khaneh, Manjil, Rezaiyeh, Sanandaj, Sari, Shahabad, Shiraz, Tehran and Zirab.

3. Effective as of the beginning of the first pay period following November 28, 1959, paragraph (a) is amended by the addition of the following:

Savannakhet, Laos.

4. Effective as of the beginning of the first pay period following February 20, 1960, paragraph (a) is amended by the addition of the following:

Tandjung Karang, Indonesia.

5. Effective as of the beginning of the first pay period following July 23, 1960, paragraph (a) is amended by the addition of the following:

Chehel-Dokhtar, Iran.
Naudeh, Iran.
Nyasaland, all posts except Blantyre and Lilongwe.

6. Effective as of the beginning of the first pay period following July 23, 1960, paragraph (b) is amended by the addition of the following:

Iran, all posts except Chehel-Dokhtar, Dezful, Firuzkuh, Isfahan, Kerman, Khaneh, Manjil, Naudeh, Rezaiyeh, Sanandaj, Sari, Shahabad, Shiraz, Tehran and Zirab.

7. Effective as of the beginning of the first pay period following July 23, 1960, paragraph (d) is amended by the addition of the following:

Lilongwe, Nyasaland.

(Secs. 102, 401, E.O. 10000, 13 F.R. 5453, 3 CFR, 1948 Supp., E.O. 10623, E.O. 10636, 20 F.R. 5297, 7025, 3 CFR, 1955 Supp.)

Dated: July 11, 1960.

For the Secretary of State:

LANE DWINELL,
Assistant Secretary.

[F.R. Doc. 60–7118; Filed, July 29, 1960; 8:49 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER K—PATENTS, ALLOTMENTS, AND SALES

PART 121—ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

Status of Application

Pursuant to authority vested in the Secretary of the Interior by section 161 of the Revised Statutes (5 U.S.C. 22), Part 121, Title 25, Code of Federal Regulations, is changed by amending § 121.2a. This regulation was designed to assure, insofar as practicable, that Indian applicants for patents in fee are informed concerning the status of their applications before such information is made available to the public.

The amendment will maintain these protective features but will permit direct responses in cases where Indian applicants make inquiry through channels of communication normally utilized by many of the Indian people seeking information regarding the status of their applications for patents in fee.

For these reasons, it would not be in the public interest to publish proposed rule making concerning this amendment or to postpone its effective date for 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011).

Section 121.2a, 25 CFR Part 121, is hereby amended as set forth below and will become effective at the beginning of the calendar day on which this amendment is published in the FEDERAL REGISTER.

§ 121.2a Information regarding status of applications for patents in fee.

The status of applications by Indians for patents in fee shall be disclosed to employees of the Department whose duties require that such information be disclosed to them and to the applicant, or his attorney, upon request. This information will also be made available to members of Congress who present requests therefor from the applicant. Such information will be made available to all other persons, upon request, fifteen (15) days after the fee patent has been issued by the Bureau of Land Management, or after the application has been rejected and the applicant notified, if such be the case.

ELMER F. BENNETT,
Acting Secretary of the Interior.

JULY 23, 1960.

[F.R. Doc. 60–7098; Filed, July 29, 1960; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60–NY–65]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Designation and Modification of Federal Airways and Associated Control Areas

The purpose of these amendments to Parts 600 and 601, and §§ 600.6047 and 601.6047 is to redesignate the segment of VOR Federal airway No. 47 and its

associated control areas from Bowling Green, Ky., to Nabb, Ind., as VOR Federal airway No. 49.

The above action is being taken to eliminate misunderstanding created by the existence of multiple transition points between VOR Federal airway No. 5 and Victor 47. As presently designated Victor 47 joins Victor 5 at Cincinnati, Ohio, and Bowling Green, Ky. In the absence of specific flight plan information, it becomes necessary to solicit additional information to determine the exact point of transition between the two airways. This creates an additional workload in the processing of flight plans at both manual and electronic computer equipped facilities. This action, in effect, will result in the reidentification of a segment of an existing airway, and does not involve designation of any additional airspace.

Since these amendments are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), the following actions are taken:

§ 600.6047 [Amendment]

1. In § 600.6047 (24 F.R. 10511, 9305; 25 F.R. 430), the following changes are made:

(a) In the caption "*(Bowling Green, Ky., to Detroit, Mich.)*" is deleted and "*(Nabb, Ind., to Detroit, Mich.)*" is substituted therefor.

(b) In the text "From the Bowling Green, Ky., VOR via the Mystic, Ky., VOR; Nabb, Ind., VOR, Cincinnati, Ohio, VOR;" is deleted and "From the Nabb, Ind., VOR via the Cincinnati, Ohio, VORTAC;" is substituted therefor.

2. In Part 600 (24 F.R. 10487) the following is added:

§ 600.6049 VOR Federal airway No. 49 (Bowling Green, Ky., to Nabb, Ind.).

From the Bowling Green, Ky., VOR via the Mystic, Ky., VOR; to the Nabb, Ind., VOR.

§ 601.6047 [Amendment]

3. In the caption of § 601.6047 (24 F.R. 10599), "*(Bowling Green, Ky., to Detroit, Mich.)*" is deleted and "*(Nabb, Ind., to Detroit, Mich.)*" is substituted therefor.

4. In Part 601 (24 F.R. 10530) the following is added:

§ 601.6049 VOR Federal airway No. 49 control areas (Bowling Green, Ky., to Nabb, Ind.).

All of VOR Federal airway No. 49.

These amendments shall become effective 0001 e.s.t. September 22 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7089; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 60-NY-67]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Designation and Modification of Federal Airways and Associated Control Areas

The purpose of these amendments to Parts 600 and 601, and §§ 600.6174 and 601.6174 is to redesignate the segment of VOR Federal airway No. 174 and its associated control areas from Louisville, Ky., to Falmouth, Ky., as VOR Federal airway No. 502.

The above action is being taken to eliminate misunderstanding created by the existence of multiple transition points between VOR Federal airway No. 4 and Victor 174. As presently designated Victor 174 joins Victor 4 at Louisville and Elkins, W. Va. In the absence of specific flight plan information, it becomes necessary to solicit additional information to determine the exact point of transition between these two airways. This creates an additional workload in the processing of flight plans at both manual and electronic computer equipped facilities. This action, in effect, will result in the reidentification of a segment of an existing airway, and does not involve designation of any additional airspace.

Since these amendments are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), the following actions are taken:

§ 600.6174 [Amendment]

1. In § 600.6174 (25 F.R. 4955), the following changes are made:

(a) In the caption "*(Louisville, Ky., to Washington, D.C.)*" is deleted and "*(Falmouth, Ky., to Washington, D.C.)*" is substituted therefor.

(b) In the text "From the Louisville, Ky., VORTAC via the Falmouth, Ky., VOR; York, Ky., VOR;" is deleted and "From the Falmouth, Ky., VOR via the York, Ky., VOR;" is substituted therefor.

§ 601.6174 [Amendment]

2. In the caption of § 601.6174 (25 F.R. 4955), "*(Louisville, Ky., to Washington, D.C.)*" is deleted and "*(Falmouth, Ky., to Washington, D.C.)*" is substituted therefor.

3. In Part 600 (24 F.R. 10487) the following is added:

§ 600.6502 VOR Federal airway No. 502 (Louisville, Ky., to Falmouth, Ky.).

From the Louisville, Ky., VORTAC to the Falmouth, Ky., VOR.

4. In Part 601 (24 F.R. 10530) the following is added:

§ 601.6502 VOR Federal airway No. 502 control areas (Louisville, Ky., to Falmouth, Ky.).

All of VOR Federal airway No. 502.

These amendments shall become effective 0001 e.s.t., September 22, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7090; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 60-NY-66]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Designation and Modification of Federal Airways and Associated Control Areas

The purpose of these amendments to Parts 600 and 601, and §§ 600.6045 and 601.6045 is to redesignate the segment of VOR Federal airway No. 45 and its associated control areas from Lexington, Ky., to Waterville, Ohio, as VOR Federal airway No. 493.

The above action is being taken to eliminate misunderstanding created by the existence of multiple transition points between Victor 45 and VOR Federal airway No. 4. As presently designated, Victor 45 joins Victor 4 at Charleston, W. Va., and Lexington, Ky. In the absence of specific flight plan information, it becomes necessary to solicit additional information to determine the exact point of transition between these two airways. This creates an additional workload in the processing of flight plans at both manual and electronic computer equipped facilities. This action, in effect, will result in the reidentification of a segment of an existing airway, and does not involve designation of any additional airspace.

Since these amendments are minor in nature and impose no additional burden

on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), the following actions are taken:

§ 600.6045 [Amendment]

1. In § 600.6045 (24 F.R. 10511; 25 F.R. 859, 2078, 4956), the following changes are made:

(a) In the caption *"Lexington, Ky., to Waterville, Ohio,"* is deleted.

(b) In the text "From the Lexington, Ky., omnirange station via the York, Ky., omnirange station; Appleton, Ohio, omnirange station; to the Waterville, Ohio, omnirange station." is deleted.

§ 601.6045 [Amendment]

2. In the caption of § 601.6045 (25 F.R. 4956), *"Lexington, Ky., to Waterville, Ohio,"* is deleted.

3. In Part 600 (24 F.R. 10487) the following is added:

§ 600.6493 VOR Federal airway No. 493 (Lexington, Ky., to Waterville, Ohio).

From the Lexington, Ky., VORTAC via the York, Ky., VOR; Appleton, Ohio, VORTAC; to the Waterville, Ohio, VORTAC.

4. In Part 601 (24 F.R. 10530) the following is added:

§ 601.6493 VOR Federal airway No. 493 control areas (Lexington, Ky., to Waterville, Ohio).

All of VOR Federal airway No. 493.

These amendments shall become effective 0001 e.s.t. September 22, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7121; Filed, July 29, 1960; 8:49 a.m.]

[Airspace Docket No. 59-FW-32]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification and Revocation of Control Area Extensions

On May 7, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 4086) stating that the Federal Aviation Agency was considering an amendment to Part 601 and § 601.1260 of the regulations of the Administrator which would modify the Altus, Okla., control area extension and revoke the Lawton, Okla., control area extension.

As stated in the notice, the Altus control area extension includes the airspace bounded on the south by VOR Federal airway No. 102, on the west by VOR Federal airways No. 14 and 114, on the northwest by VOR Federal airway No. 140, and a line from the Sayre, Okla., VOR along longitude 99°38'00" W., to VOR Federal airway No. 17, on the northeast by Victor 17 and on the southeast by VOR Federal airway No. 77. The Federal Aviation Agency is modifying the Altus control area extension to include the airspace northwest of the present area bounded on the southwest by Victor 140 north alternate, on the northwest by VOR Federal airway No. 12, and on the east by a line from Sayre VOR along longitude 99°38'00" W., to Victor 17 and on the north by Victor 17. This will provide protection for jet aircraft arriving and departing Clinton Sherman AFB, Okla., during instrument flight rule conditions. Concurrent with this action the Lawton control area extension is being revoked because the Altus control area extension includes the airspace presently designated as the Lawton control area extension.

This action will result in the Altus control area extension being designated to include the airspace bounded on the northeast by VOR Federal airway No. 17; on the southeast by VOR Federal airway No. 77; on the south by VOR Federal airway No. 102; on the west by VOR Federal airway No. 14 from Lubbock, Tex., to Childress, Tex., and VOR Federal airway No. 114, from Childress to Amarillo, Tex.; on the northwest by VOR Federal airway No. 12; excluding the portion which coincides with the Fort Sill Restricted Area (R-208). Concurrently, the Lawton, Okla., control area extension is revoked.

The Air Transport Association of America concurred in the Proposal. The Aircraft Owners and Pilots Association objected to the Proposal because no consideration was given to placing an appropriate floor on this control area extension as permitted by Civil Air Regulation Amendment 60-14 effective January 1, 1960. Civil Air Regulation Amendments 60-14 and 60-14A were rescinded effective June 30, 1960 (25 F.R. 6015) and therefore the designation of control area must be made in accordance with Part 601 of the regulations of the Administrator.

No other comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) the following actions are taken:

§ 601.1302 [Revocation]

1. In Part 601 (24 F.R. 10530) § 601.1302 *Control area extension (Lawton, Okla.)*. is revoked.

2. Section 601.1260 (24 F.R. 10560) *Control area extension (Altus, Okla.)*. is amended to read:

§ 601.1260 Control area extension (Altus, Okla.).

All the airspace bounded on the NE by VOR Federal airway No. 17; on the SE by VOR Federal airway No. 77; on the S by VOR Federal airway No. 102; on the W by VOR Federal airway No. 14 from Lubbock, Tex., to Childress, Tex., and VOR Federal airway No. 114, from Childress, Tex., to Amarillo, Tex., on the NW by VOR Federal airway No. 12; excluding the portion which lies within the geographic limits of, and between the designated altitudes of, the Fort Sill, Okla., Restricted Area (R-208) during the restricted area's designated time of use.

These amendments shall become effective 0001 e.s.t. September 22, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7085; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 59-KC-85]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Control Area Extension

On January 30, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 814) stating that the Federal Aviation Agency was considering an amendment to § 601.1131 of the regulations of the Administrator which proposed the modification of the Oscoda, Mich., control area extension.

As stated in the notice, the present Oscoda control area extension includes the airspace within a 30-mile radius of the Wurtsmith AFB, Oscoda, Mich., and the airspace centered on the 266° True radial of the Wurtsmith TVOR extending from a point 5 miles west of the airbase to a point 32 miles west of the airbase and having a width of 1 mile on the north side and 2.3 miles on the south side of the 266° True radial at a point 5 miles west of the airbase and expanding to a width of 4.6 miles at a point 32 miles west of the airbase. The notice proposed enlarging the Oscoda control area extension by the addition of that airspace 5 miles either side of the Wurtsmith AFB TACAN 234° True radial extending to a point 46 miles southwest. This additional controlled airspace will provide protection for aircraft landing at Wurtsmith AFB executing the prescribed instrument approach procedure based on the Wurtsmith TACAN.

The Department of the Air Force objected to the proposed control area extension stating that it was not of sufficient dimensions to provide controlled airspace for the holding of aircraft below

24,000 feet MSL; that is, below the floor of the continental control area; and that air traffic control flexibility and capability would not be increased. The Air Force recommended that the area be extended to include the airspace 17 nautical miles on the south side and 8 nautical miles on the north side of the 234° True radial of the TACAN, extending from the present control area periphery to a point 62 nautical miles southwest, with a floor of 14,500 feet MSL, to provide controlled airspace to encompass the special F-104/5 holding pattern between 20,000 and 25,000 feet inclusive. An alternate recommendation submitted by the Air Force proposed an area 8.6 nautical miles on the south side and 5.2 nautical miles on the north side of the 234° True radial of the TACAN extending to a point 45 nautical miles southwest of the facility, with or without a floor of 14,500 feet. This also was to provide controlled airspace for aircraft holding below 24,000 feet MSL.

The present Wurtsmith high altitude TACAN procedure prescribes an initial penetration altitude of 20,000 feet or as directed. The expanded holding pattern for century series type aircraft holding between 20,000 and 24,000 feet would require the designation of a considerably enlarged area of controlled airspace extending from 700 feet above the surface, and would be unduly restrictive to general aviation. Since it is possible and feasible to direct aircraft, when necessary, to commence initial penetration at flight level 240 or above, which would result in any required holding being conducted in the continental control area, the Federal Aviation Agency considers the designation of controlled airspace to accommodate holding below flight level 240 for this penetration procedure to be excessive and unnecessary.

No other adverse comments were received regarding the proposed amendment.

Subsequent to publication of the notice, Restricted Area (R-91) was revoked in Airspace Docket No. 59-KC-37 (25 F.R. 4377). This will require further amending § 601.1311 to delete all reference to this restricted area from the description of the Oscoda, Mich., control area extension.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), § 601.1311 (24 F.R. 10563; 25 F.R. 4377) is amended to read:

§ 601.1311 Control area extension (Oscoda, Mich.).

The airspace within a 30-mile radius of Wurtsmith AFB, Oscoda, Mich.; within 5 miles either side of the Wurtsmith AFB TACAN 234° True radial extending from the TACAN to a point 46 miles southwest; and the airspace centered on the 266° True radial of the Wurtsmith TVOR extending from a point 5 miles west of the AFB to a point 32 miles west of the AFB and having a width of 1 mile on the north side and 2.3 miles on the south side of the 266° True radial at a point 5 miles west of the AFB and expanding to a width of 4.6 miles at the point 32 miles west of the AFB. The portions of this control area extension which lie within the geographic limits of, and between the designated altitudes of, the Upper Lake Huron Restricted Area (R-491) is excluded during this restricted area's time of designation. The portions of this control area extension which lie within the Oscoda, Mich. (Wurtsmith AFB) Restricted Area/Military Climb Corridor (R-550) shall be used only after obtaining prior approval from the controlling agency.

This amendment shall become effective 0001 e.s.t. September 22, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7086; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 60-WA-182]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Control Area Extension

The purpose of this amendment to § 601.1381 of the regulations of the Administrator is to modify the description of the Kwajalein Island control area extension.

The Kwajalein Island Warning Areas (W-448, W-449, and W-450) have been disestablished. The disestablishment of W-448, W-449, and W-450 revokes the portions of these warning areas which conflicted with the Kwajalein Island control area extension. Therefore, all reference to the Kwajalein Island warning areas is being deleted from the description of the Kwajalein Island control area extension. Warning area (W-449) is incorrectly referred to in § 601.1381 as (W-445) and is, therefore, referred to as such in this amendment.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), the following action is taken:

In the text of § 601.1381 (24 F.R. 10566) "from the nondirectional radio beacon excluding the portions which overlap Airspace Warning Areas W-448, W-445, and W-450." is deleted and "from the nondirectional radio beacon." is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7087; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 59-LA-61]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Control Zone

On March 26, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 2591) stating that the Federal Aviation Agency was considering an amendment to § 601.2023 of the regulations of the Administrator which would modify the Albuquerque, N. Mex., control zone.

As stated in the notice, the Albuquerque control zone is presently designated within a 5-mile radius of Kirtland Air Force Base with extensions to the south based on the south course of the Albuquerque radio range extending from the 5-mile radius zone to the Peralta, N. Mex., fan marker; to the north based on the Alameda, N. Mex., non-directional radio beacon extending from the 5-mile radius zone to a point 10 miles north of the Alameda radio beacon; and to the west based on the 091° and 271° True radials of the Albuquerque VOR, extending from the 5-mile zone to a point 10 miles west of the VOR. Modification of the Albuquerque control zone would redesignate the present south extension based on the south course of the Albuquerque range to extend it from the 5-mile radius zone to a point 17 miles south of the radio range to provide protection to aircraft executing prescribed ADF and radio range instrument approach procedures; designate a control zone extension based on the ILS localizer north course extending from the 5-mile radius zone to the intersection of the localizer north course and the Albuquerque VORTAC 057° True radial to provide protection for aircraft executing ILS approach procedures based on the ILS localizer north course; revoke a portion of the west extension of the Albuquerque control zone no longer required for the prescribed instrument approach procedure based on the Albuquerque VORTAC; and revoke a portion of the north extension of the Albuquerque control zone no longer required for the prescribed instrument approach procedure based on the Alameda radio beacon.

The Aircraft Owners and Pilots Association concurred in the proposed reduction to the Albuquerque control zone, and advised that they did not object to

the proposed extension along the north course of the ILS localizer. However, the AOPA stated that the proposed extension to a point 17 miles south of the Albuquerque radio range appears to be unnecessary, as does the existing south extension. Subsequent to publication of the Notice, a revised U.S. Air Force range/ADF approach was published nullifying the requirement for a control zone extension to 17 miles south of the range. The existing south extension to the Peralta fan marker (approximately 12 statute miles south of the radio range) remains a requirement to protect the range approach. Any attempt to raise the crossing altitude on final approach by the required amount would eliminate straight-in approaches to runway 35 at Kirtland Air Force Base/Municipal Airport. Consequently, no modification will be made to the south extension to the Albuquerque control zone.

The Department of the Air Force interposed no objection to the proposal. No other comments were received regarding the proposed amendment.

This action will result in the Albuquerque control zone being designated within a 5-mile radius of Kirtland Air Force Base; within 2 miles either side of the south course of the Albuquerque radio range extending from the 5-mile radius zone to the Peralta fan marker; within 2 miles either side of the 091° True radial of the Albuquerque VORTAC extending from the 5-mile radius zone to the VORTAC; within 2 miles either side of the 172° True bearing from the Alameda radio beacon extending from the 5-mile radius zone to the Alameda radio beacon; and within 2 miles either side of the Albuquerque ILS localizer north course extending from the 5-mile radius zone to the intersection of the Albuquerque VORTAC 057° True radial, and the ILS localizer north course.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), § 601.2023 (24 F.R. 10572) is amended to read:

§ 601.2023 Albuquerque, N. Mex., control zone.

Within a 5-mile radius of Kirtland AFB (latitude 35°02'42" N., longitude 106°36'02" W.); within 2 miles either side of the south course of the Albuquerque RR extending from the 5-mile radius zone to the Peralta fan marker; within 2 miles either side of the 091° True radial of the Albuquerque VORTAC extending from the 5-mile radius zone to the VORTAC; within 2 miles either side of the 172° True bearing from the Alameda RBN extending from the 5-mile radius zone to the Alameda RBN; and within 2 miles either side of the Albuquerque ILS localizer north course extending from the 5-mile radius zone to the INT of the Albuquerque VORTAC 057° True radial, and the ILS localizer north course.

This amendment shall become effective 0001 e.s.t. September 22, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 26, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-7088; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 60-NY-55]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

PART 608—RESTRICTED AREAS

Modification of Restricted Area and Control Area Extension

The purpose of these amendments to §§ 608.25 and 601.1080 of the regulations of the Administrator is to change the controlling agency of the Fort Knox, Ky., Restricted Area (R-64) (Nashville and Cincinnati Charts) from the U.S. Army Armored Center, Fort Knox to the Federal Aviation Agency, Standiford Control Tower, Louisville, Ky., and to delete reference to Restricted Area R-64 in the description of the Louisville control area extension.

Restricted Area R-64 is presently used by the U.S. Army Armored Center, Fort Knox, Ky., for small arms, howitzer and artillery firing, from the surface to 20,000 feet MSL, controlled by the U.S. Army Armored Center, Fort Knox, and is designated continuously. The Federal Aviation Agency and representatives of the Department of the Army have reached an agreement whereby the airspace within R-64 may be used by air traffic when not in use for its designated purpose. Therefore, the Federal Aviation Agency is changing the controlling agency from the Armored Center to the Federal Aviation Agency, Standiford Control Tower, Louisville, and deleting all reference to R-64 in the text of the Louisville control area extension.

Since these amendments are minor in nature, in that they reduce a burden on the public by permitting use of R-64 when it is not in use for its designated purpose, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary and they may be made effective immediately.

In consideration of the foregoing, the following actions are taken:

1. In § 608.25, the Fort Knox, Ky., Restricted Area (R-64) (Nashville and Cincinnati Charts) (23 F.R. 8581) "U.S. Army Armored Center, Fort Knox, Ky." is deleted and "The Federal Aviation Agency, Standiford Control Tower, Louisville, Ky." is substituted therefor.

2. In the text of § 601.1080 (24 F.R. 10551) "The portion of this control area extension which lies within the geographical limits of, and between the designated altitudes of, the Fort Knox Restricted Area (R-64) is excluded during the restricted area's time of designation." is deleted.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 25, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-7092; Filed, July 29, 1960; 8:46 a.m.]

[Airspace Docket No. 59-LA-45]

PART 608—RESTRICTED AREAS

Designation of Restricted Area

On September 22, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 7620) stating that the Federal Aviation Agency was proposing an amendment to § 608.14 of the regulations of the Administrator which would designate the China Lake South, Calif., Restricted Area (R-278A) (Los Angeles Chart). Additionally, this proposal was given consideration at a public hearing held in Riverside, Calif., on October 27, 1959.

As stated in the notice, the Department of the Navy has advised that their aircraft are performing low level high speed runs in connection with loft bombing maneuvers to a target in the southwest corner of the China Lake, Calif., Restricted Area (R-278) (Mt. Whitney and Los Angeles Charts). The target run is presently made from south to north, mostly outside of R-278 and requires pilot preoccupation to the extent that the "see and be seen" principle is often marginal. Target usage is increasing, and the probability of air collision is increasing. Therefore, the Federal Aviation Agency is designating a new China Lake South Restricted Area (R-278A), 6½ miles wide and 15 miles long adjacent to the southwest corner of R-278, from the surface to 6,000 feet MSL. This additional airspace is considered the minimum necessary to contain that portion of the run-in maneuver of the loft bombing delivery in which the pilot is preoccupied.

As noted above, this proposal was given consideration at a public hearing held in Riverside, Calif., on October 27, 1959. The Department of Defense supported the proposed action at this meeting while Mr. Albert J. Huber, Aviation Director for the Kern County, Calif., Department of Airports objected to the designation of R-278A. Following the public meeting, Mr. Huber submitted the same objections in writing in response to the notice of proposed rule making, as follows: (1) That the height of the test aircraft over the ground (50 feet) precludes other aircraft being underneath, at the same altitude or closer than 450 feet above him and that closer coordination and liaison should be established between local Navy representatives and airport managers to insure that direct travel between civil airports is done not

under 1,000 feet above the terrain; (2) that the pilot has completed his cockpit check and is concentrating all his attention on the area immediately in front of him and, therefore, any moving object should be readily recognized and evasive action taken; and (3) that the Airport Manager of Inyokern, Calif., Airport had reported that the test aircraft, on the downwind leg of their target run, fly directly over the airport at near traffic pattern elevation. However, the Department of the Navy states that there is no flat run-in of 10 to 15 miles in length employed in either training or research and development operations and no present pattern requires a terrain clearance of only 50 feet; that a toss bomb or a rocket approach at near sonic speed may involve a run-in at 1,000 to 1,500 feet above terrain, and initiation of a pull up prior to entry into R-278 which would preclude taking evasive action, that some rocket and glide or dive bombing attacks would involve a descending run-in to the range from an initial altitude of 5,000 feet to 6,000 feet MSL; and that the pilots utilizing the loft bombing range are instructed to cross Inyokern Airport not above 6,000 feet and not below 5,000 feet MSL prior to entering the diving turn into the firing line. Adherence to these instructions would put the Navy aircraft at a minimum of 2,500 feet above Inyokern Airport.

Mr. F. G. St. Louis, Clinic Manager of the Drummond Medical Center, Ridgecrest, Calif., also objected to the designation of R-278A stating that since the present training programs in this area seem to call for low level flying techniques, it would seem that the 6,000 foot minimum is not only inconvenient and annoying, but unnecessary, and that he would suggest the ceiling minimum to be set at a more realistic and yet safe elevation. In view of the foregoing statement of the Navy, the Federal Aviation Agency considers that 6,000 feet MSL,, which varies from 1,400 feet to 3,700 feet above the terrain in the proposed restricted area, is a reasonable ceiling and considers the Navy position justifiable and applicable to the objections raised by Mr. Huber and Mr. St. Louis.

Both Mr. Huber and Mr. St. Louis recommended that a civil radio frequency be established in the China Lake Tower for the use of civilian pilots who might want to transit the area when it is not in use. The Department of the Navy has agreed to the installation of such a frequency.

No other adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the following action is taken:

In § 608.14 *California.* (23 F.R. 8576) add:

China Lake South, Calif., Restricted Area (R-278A) (Los Angeles Chart):

Description by geographical coordinates. Beginning at latitude 35°37'30" N., longitude 117°41'30" W., thence to latitude 35°24'00" N., longitude 117°40'30" W., thence to latitude 35°24'00" N., longitude 117°46'30" W., thence to latitude 35°37'30" N., longitude 117°47'30" W., thence to point of beginning.

Designated altitudes. Surface to 6,000 feet MSL.

Time of designation. Sunrise to sunset, Monday through Friday.

Controlling agency. Commander, Naval Ordnance Test Center, China Lake, Calif.

This amendment shall become effective 0001 e.s.t., September 22, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on July 25, 1960.

E. R. QUESADA,
Administrator.

[F.R. Doc. 60-7091; Filed, July 29, 1960; 8:46 a.m.]

Title 26—INTERNAL REVENUE, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6485]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Miscellaneous Amendments

On April 29, 1960, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) under sections 72, 105, and 402 of the Internal Revenue Code of 1954 to provide rules relating to certain distributions under employee plans was published in the FEDERAL REGISTER (25 F.R. 3762). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments of the regulations as so published are hereby adopted, subject to the changes set forth below:

Section 1.72-15, as set forth in paragraph 1 of the notice of proposed rule making, is revised:

(A) By changing the first sentence in paragraph (a) to read as follows: "This section provides the rules for determining the taxation of amounts received from an employer-established plan which provides for distributions that are taxable under section 72 (or, in the case of certain total distributions, under section 402(a)(2) or section 403(a)(2)) and which also provides for distributions that may be excludable from gross income under section 104 or 105 as accident or health benefits."

(B) By changing the third sentence of paragraph (b) to read as follows: "Section 72 (or, in the case of certain total distributions, section 402(a)(2) or section 403(a)(2)) does apply to any amount which is received under a plan to which this section applies and which is not an accident or health benefit."

(C) By changing the last sentence in paragraph (c)(3) to read as follows: "However, in the case of a profit-sharing plan providing for periodic distributions from the account of a participant during any absence from work because of a personal injury or sickness, an adjustment under this subparagraph is required only when an employee receives distributions in excess of the employer contributions and earnings thereon or receives distributions consisting in whole or in part of his own contributions."

(D) By changing the first sentence of paragraph (e) to read as follows: "The taxability of amounts that are received under a plan to which this section applies and that are not accident or health benefits is determined under section 72 (or, in the case of certain total distributions, under section 402(a)(2) or section 403(a)(2)) without regard to any exclusion or inclusion of accident or health benefits under sections 104 and 105."

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

Approved: July 26, 1960.

DAVID A. LINDSAY,
Acting Secretary of the Treasury.

PARAGRAPH 1. There is inserted immediately after § 1.72-14 the following new section:

§ 1.72-15 Applicability of section 72 to accident or health plans.

(a) *Applicability of section.* This section provides the rules for determining the taxation of amounts received from an employer-established plan which provides for distributions that are taxable under section 72 (or, in the case of certain total distributions, under section 402(a)(2) or section 403(a)(2)) and which also provides for distributions that may be excludable from gross income under section 104 or 105 as accident or health benefits. For example, this section will apply to a pension plan described in section 401 and exempt under section 501 which provides for the payment of pensions at retirement and the payment of an earlier pension in the event of permanent disability. This section will also apply to a profit-sharing plan described in section 401 and exempt under section 501 which provides for periodic distribution of the amount standing to the account of a participant during any period that the participant is absent from work due to a personal injury or sickness and for the distribution of any balance standing to the account of the participant upon his separation from service. For purposes of this section, the term "contributions of the employee" includes contributions by the employer which were includible in the employee's gross income.

(b) *General rule.* Section 72 does not apply to any amount received as an accident or health benefit, and the tax treatment of any such amount shall be determined under sections 104 and 105. See paragraphs (c) and (d) of this section, paragraph (d) of § 1.104-1, and §§ 1.105-1 through 1.105-5. Section 72 (or, in the case of certain total distribu-

tions, section 402(a)(2) or section 403 (a)(2)) does apply to any amount which is received under a plan to which this section applies and which is not an accident or health benefit. See paragraph (e) of this section.

(c) *Accident or health benefits attributable to employee contributions.* (1) If a plan to which this section applies provides that any portion of the accident or health benefits is attributable to the contributions of the employee to such plan, then such portion of such benefits is excludable from gross income under section 104(a)(3) and paragraph (d) of § 1.104–1. Neither section 72 nor section 105 applies to any accident or health benefits (whether paid before or after retirement) attributable to contributions of the employee. Since such portion is excludable under section 104(a)(3), such portion is not subject to the $100-a-week limitation of section 105(d) and if such portion is payable after the retirement of the employee, it is excludable without regard to the provisions of § 1.105–4 and section 72.

(2) In determining the taxation of any amounts received as accident or health benefits from a plan to which this section applies, the first step is to determine the portion, if any, of the contributions of the employee which is used to provide the accident or health benefits and the portion of the accident or health benefits attributable to such portion of the employee's contributions. If such a plan expressly provides that the accident or health benefits are provided in whole or in part by employee contributions and the portion of employee contributions to be used for such purpose, the contributions so used will be treated as used to provide accident or health benefits. However, if the plan does not expressly provide that the accident or health benefits are to be provided with employee contributions and the portion of employee contributions to be used for such purpose, it will be presumed that none of the employee contributions is used to provide such benefits. Thus, in the case of a contributory pension plan, it will be presumed that the disability pension is provided by employer contributions, unless the plan expressly provides otherwise, or in the case of a contributory profit-sharing plan providing that a portion of the amount standing to the account of each participant will be used to purchase accident or health insurance, it will be presumed that such insurance is purchased with employer contributions, unless the plan expressly provides otherwise. Similarly, unless the plan expressly provides otherwise, it will be presumed that if a contributory profit-sharing plan provides for periodic distributions from the account of a participant during any absence from work because of a personal injury or sickness, all such distributions which do not exceed the contributions of the employer plus earnings thereon are provided by employer contributions.

(3) Any employee contributions that are treated under subparagraph (2) of this paragraph as used to provide accident or health benefits shall not be included for any purpose under section 72 as employee contributions or as aggregate premiums or other consideration paid. Thus, in the case of a pension plan, or in the case of a profit-sharing plan providing that a portion of the amount standing to the account of each participant will be used to purchase accident or health insurance, any employee whose contributions are so used must make the adjustment provided by this subparagraph irrespective of whether such employee receives any accident or health benefits under such plan. However, in the case of a profit-sharing plan providing for periodic distributions from the account of a participant during any absence from work because of a personal injury or sickness, an adjustment under this subparagraph is required only when an employee receives distributions in excess of the employer contributions and earnings thereon or receives distributions consisting in whole or in part of his own contributions.

(4) If any of the employee contributions are treated under subparagraph (2) of this paragraph as used to provide any of the accident or health benefits, the portion of the benefits attributable to employee contributions shall be determined in accordance with § 1.105–1. Any accident or health benefits that are excludable under section 104(a)(3) shall not be included in the expected return for purposes of section 72.

(d) *Accident or health benefits attributable to employer contributions.* Any amounts received as accident or health benefits and not attributable to contriutions of the employee are includible in gross income except to the extent that such amounts are excludable from gross income under section 105 (b), (c), or (d) and the regulations thereunder. Thus, such amounts may be excludable under section 105(d) as payments under a wage continuation plan. However, if such payments, when added to other such payments attributable to employer contributions, exceed the limitations of section 105(d), then the excess is includible in gross income under section 105(a). Such excess is not excludable under section 72.

(e) *Other benefits under the plan.* The taxability of amounts that are received under a plan to which this section applies and that are not accident or health benefits is determined under section 72 (or, in the case of certain total distributions, under section 402(a)(2) or section 403(a)(2)) without regard to any exclusion or inclusion of accident or health benefits under sections 104 and 105. For example, the investment in the contract or aggregate premiums paid is determined without regard to the exclusion of any amount under section 104 or 105, and the annuity starting date is determined without regard to the receipt of any accident or health benefits. However, if any employee contributions are used to provide any accident or health benefits, the investment in the contract or aggregate premiums paid must be adjusted as provided in paragraph (c)(3) of this section.

(f) *Examples.* The principles of this section may be illustrated by the following examples:

Example (1). A, an employee, is a participant in a contributory pension plan described in section 401(a) and exempt under section 501(a). Such plan provides for the payment of a pension to each participant when he retires at age 65 or when he retires earlier if the retirement is due to permanent and total disability. In 1958, A, who was age 52, became totally and permanently disabled because of an injury and commenced to receive a pension of $88 a week under this plan. A had contributed $11,804 to the plan. The plan does not expressly provide that any portion of the disability pension is purchased with employee contributions. Accordingly, it is presumed that no portion of the disability pension is purchased with A's contributions. The disability pension which A receives qualifies as payments under a wage continuation plan for purposes of section 105(d) and § 1.105–4, and if such payments are the only accident or health benefits which are attributable to the contributions of his employer, such payments are entirely excludable under section 105(d) until A reaches age 65, his normal retirement age under the plan. The payments which A receives after he becomes age 65 are taxable under section 72. The payments which A receives do constitute an annuity as defined in paragraph (b) of § 1.72–2, but since the amounts which he will receive during the first three years after attaining age 65 exceed his contributions, he shall exclude under § 1.72–13 the entire amount of all payments that he receives as an annuity after attaining age 65 until such amounts equal his contributions to the plan, or $11,804. Thereafter, the payments that he receives under the plan are includible in gross income.

Example (2). B, an employee, is a participant in a contributory profit-sharing plan described in section 401(a) and exempt under section 501(a). Such plan provides that, in the event a participant is absent from work because of a personal injury or sickness, he will be paid $125 a week out of his account in such plan. Any amount standing to the account of a participant at the time of his separation from service will be paid to him at such time. During 1958, B incurred a personal injury and as a result was absent from work for nine weeks. He received nine weekly payments of $125, or a total of $1,125, on account of such absence from work. At the time B was injured, he had contributed $5,000 to the plan. The plan did not expressly provide that a participant's contributions are to be used to provide for the distributions during disability. Accordingly, it is presumed that B's contributions were not used to provide the accident or health benefits under the plan. Since these weekly payments are paid because of B's absence from work due to the injury, and since such payments are considered as attributable to contributions of his employer, such payments are required under section 105(a) to be included in B's gross income except to the extent that they are excludable under section 105(d). If B receives no other payments under a wage continuation plan attributable to contributions of his employer, $100 of each weekly payment is excludable from gross income under section 105(d), but $25 of each weekly payment is includible in gross income under section 105(a). The $100-a-week payment so excludable does not reduce B's investment in the contract or the amount of premiums considered to have been paid by B for purposes of any subsequent computations under section 72.

Example (3). The facts are the same as in example (2) except that B was absent from work for 130 weeks. At the time B was injured, his employer had contributed $10,000 to the plan on his account, and $6,000 of earnings of the plan had been allocated to his account. Thus, at the time he was injured, B's account included $21,000,

and $14,000 of such amount consists of employer contributions of $10,000 plus earnings of $4,000 thereon. The first 112 weekly payments (totaling $14,000) which B receives are treated in the manner set forth in example (2). However, since the remaining payments exceed the employer contributions plus earnings thereon, such remaining payments are considered to be distributions of B's contributions plus earnings thereon. Since the total of such payments, or $2,250, is less than B's contributions to the plan, $5,000, the entire amount of such payments is excludable from B's gross income, but a corresponding adjustment with respect to the return of B's contributions shall be made to his consideration in determining the taxation of any lump sum paid to B upon separation from service.

PAR. 2. Paragraph (c)(3) of § 1.105–1 is amended to read as follows:

§ 1.105–1 Amounts attributable to employer contributions.

* * * * *

(c) *Contributory plans.* * * *

(3) Except as provided in paragraph (c)(2) of § 1.72–15, if the plan provides accident or health benefits as well as other benefits for the employees, and if the respective contributions made by the employer and the employees to provide the accident or health benefits cannot be ascertained, the determination of the portion of the accident or health benefits received under such plan which is attributable to the contributions of the employer shall be made in accordance with the rules of paragraph (d) or (e) of this section on the basis of the contributions of the employer and of the employees to the entire plan.

PAR. 3. Paragraph (a)(3)(i) of § 1.105–4 is amended to read as follows:

§ 1.105–4 Wage continuation plans.

(a) *In general.* * * *

(3)(i) Section 105(d) applies only to amounts attributable to periods during which the employee would be at work were it not for a personal injury or sickness. Thus, an employee is not absent from work if he is not expected to work because, for example, he has reached retirement age. If a plan provides that an employee, who is absent from work on account of a personal injury or sickness, will receive a disability pension as long as he is disabled, section 105(d) is applicable to any payments which such an employee receives under this plan before he reaches retirement age, but section 105(d) does not apply to the payments which such an employee receives after he reaches retirement age. See § 1.72–15 for additional rules relating to the tax treatment of disability pensions.

PAR. 4. Paragraph (a)(1)(ii) of § 1.402(a)–1 is amended to read as follows:

§ 1.402(a)–1 Taxability of beneficiary under a trust which meets the requirements of section 401(a).

(a) *In general.* (1) * * *

(ii) The provisions of section 402(a) relate only to a distribution by a trust described in section 401(a) which is exempt under section 501(a) for the taxable year of the trust in which the distribution is made. The distribution from such an exempt trust when received or made available is taxable to the distributee to the extent provided in section 72 (relating to annuities), except that section 72(e)(3) (relating to the treatment of certain lump sums) shall not apply, and except that certain total distributions described in section 402(a)(2) are taxable as long-term capital gains. For the treatment of such total distributions, see subparagraph (6) of this paragraph. Under certain circumstances, an amount representing the unrealized appreciation in the value of the securities of the employer is excludable from gross income for the year of distribution. For the rules relating to such exclusion, see paragraph (b) of this section. Furthermore, the exclusion provided by section 105(d) is applicable to a distribution from a trust described in section 401(a) and exempt under section 501(a) if such distribution constitutes wages or payments in lieu of wages for a period during which an employee is absent from work on account of a personal injury or sickness. See § 1.72–15 for the rules relating to the tax treatment of accident or health benefits received under a plan to which section 72 applies.

[F.R. Doc. 60–7107; Filed, July 29, 1960; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—VETERANS CLAIMS

Additional Compensation for Veterans Having Four or More Children and Whose Disability is 50 Percent or More Disabling

Part 3, Chapter I of Title 38 of the Code of Federal Regulations, is amended by adding § 3.1547 as follows:

§ 3.1547 Additional compensation for veterans having four or more children and whose disability is 50 percent or more disabling.

(a) *Provisions of the law.* (1) Section 1 of the law amends subsection (a)(1) of section 315, Title 38, United States Code, as follows:

(1) If and while rated totally disabled and—

(D) has a wife and three or more children living, $62 (plus $12 for each living child in excess of three);

(G) has no wife but three or more children living, $39 (plus $12 for each living child in excess of three); and

(2) Section 2 provides: "The amendments made by this Act shall take effect on the first day of the second calendar month which begins after the date of enactment of this Act."

(b) *Effect of the act—(1) Removal of ceiling.* Prior to its amendment, additional compensation under 38 U.S.C. 315(a) was payable for a maximum of three children. The act removes this limitation and permits payment of additional compensation for any number of children.

(2) *Additional amounts.* Where the veteran's service-connected disability is evaluated at 100 percent, additional compensation of $12 is payable for each living child. Pro rata amounts of additional compensation are payable where the disability is evaluated from 50 percent to 90 percent, adjusted upward or downward to the nearest dollar (counting fifty cents and over as a whole dollar).

(c) *Effective date.* The law becomes effective the first day of the second calendar month which begins after the date of enactment, June 8, 1960. The provisions of this paragraph apply to claims which are allowed solely because of its liberalizing provisions and are subject to the rule that the effective date may not be earlier than August 1, 1960.

(1) *Pending claims.* Where otherwise in order, the effective date of an award as to a claim based on 50 percent or more disability pending on the date of enactment will be August 1, 1960.

Pending claims will include:

(i) A claim not previously adjudicated.

(ii) A previously disallowed claim pending appelate consideration.

(iii) A previously disallowed claim reopened by receipt of any claim, evidence or inquiry on which action was pending on June 8, 1960.

(iv) A previously disallowed claim reopened by the receipt of any claim, evidence or inquiry after June 8, 1960, but within the appeal period.

(2) *New claims.* All other claims, formal or informal, received on or after June 8, 1960, will be considered initial claims for the purpose of this law and the effective date will be determined under applicable laws and regulations relating to original claims but not earlier than August 1, 1960. (Instruction 1, 38 U.S.C. 315, Public Law 86–499)

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective August 1, 1960.

[SEAL] BRADFORD MORSE,
Deputy Administrator.

[F.R. Doc. 60–7119; Filed, July 29, 1960; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2168]

OREGON

Modification of Grazing District Boundaries, Oregon Grazing District 7

By virtue of the authority vested in the Secretary of the Interior by the Act of June 28, 1934 (48 Stat. 1269, U.S.C. 315, et seq.), as amended, known as the

Taylor Grazing Act, Departmental Orders establishing and modifying the exterior boundaries of Oregon Grazing District No. 7 are hereby further modified to eliminate therefrom the following-described lands:

WILLAMETTE MERIDIAN

T. 3 N., R. 19 E.
T. 3 N., R. 20 E.
T. 3 N., R. 21 E.
T. 2 N., R. 22 E.
T. 3 N., R. 22 E.
T. 4 N., R. 22 E.
T. 2 N., R. 23 E.
T. 3 N., R. 23 E.
T. 4 N., R. 23 E.
T. 4 N., R. 24 E.
T. 4 N., R. 25 E.
T. 5 N., R. 25 E.
T. 2 N., R. 26 E.
T. 3 N., R. 26 E.
T. 4 N., R. 26 E.
T. 5 N., R. 26 E.
T. 2 N., R. 27 E.
T. 3 N., R. 27 E., west of Morrow-Umatilla County line.
T. 4 N., R. 27 E., west of Morrow-Umatilla County line.
T. 5 N., R. 27 E., west of Morrow-Umatilla County line.
T. 1 S., R. 18 E.
T. 2 S., R. 18 E.
T. 3 S., R. 18 E.
T. 4 S., R. 18 E.
T. 4 S., R. 19 E.

The areas described aggregate approximately 78,772 acres.

The vacant, unappropriated public domain lands shall be subject to lease for grazing purposes under the provisions of section 15 of the Taylor Grazing Act upon the expiration of current licenses. Applications for grazing use shall be filed in the Bureau of Land Management office at Baker, Oregon. Applications for other use, entry, or disposal, or inquiries relating thereto, shall be filed in the office of the Manager, Land Office, Bureau of Land Management, 809 Northeast Sixth Avenue, Portland 12, Oregon.

ROGER ERNST,
Assistant Secretary of the Interior.

JULY 26, 1960.

[F.R. Doc. 60-7103; Filed, July 29, 1960; 8:47 a.m.]

Title 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 6—MIGRATORY BIRDS

Hunting On or Over Agricultural Lands

Effective September 1, 1960, §§ 6.3 (a) (4) and (b) (9) of Part 6 are amended as set forth below to make it permissible to hunt migratory game birds on or over lands upon which grains are found scattered solely as the result of normal agricultural planting or harvesting. Heretofore hunting has been permitted only on or over grains found scattered solely as a result of normal agricultural harvesting.

As a result of changed agricultural practices, hunters have unwittingly or inadvertently violated the current regulation by hunting over lands upon which grains had been scattered during normal planting operations. The purpose of the amendment is to clarify the circumstances under which migratory game birds may lawfully be taken.

This amendment constitutes a relaxation of restrictions on hunting methods. No detrimental effect on migratory bird populations is anticipated, but if the relaxation results in excessive depletion of any migratory bird species, corrective action will be considered.

Since the migratory bird hunting seasons begin on September 1 this amendment must be effective by that date; therefore, it is impracticable to offer the usual notice and public procedure. However, the Department of the Interior invites interested persons to submit written comments, suggestions, or objections, with respect to the amendment to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C. Further changes in these regulations may be predicated upon such comments, suggestions, or objections.

1. Section 6.3(a) (4) is amended by inserting the words "planting or" preceding the word "harvesting," to read as follows:

§ 6.3 Hunting methods.

* * * * * *

(a) *Permitted methods.* Migratory game birds may be taken.

* * * * * *

(4) On or over standing crops (including aquatics), flooded standing crops, flooded harvested crop lands, grain crops properly shocked on the field where grown, or grains found scattered solely as a result of normal agricultural planting or harvesting; or

2. Section 6.3(b) (9) is amended by inserting the words "planting or" preceding the word "harvesting" in the last sentence to read as follows:

(b) *Prohibited methods.* Migratory game birds may not be taken.

* * * * * *

(9) By the aid of baiting, or on or over any baited area. As used in this subparagraph, "baiting" shall mean the placing, exposing, depositing, distributing or scattering of shelled, shucked, or unshucked corn, wheat or other feed so as to constitute for such birds a lure, attraction or enticement to, on or over any area where hunters are attempting to take them; and "baited area" means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt or any other feed whatsoever capable of attracting such birds is directly or indirectly placed, exposed, deposited, distributed or scattered. Nothing in this subparagraph shall prohibit the taking of such birds over standing crops, flooded standing crops (including aquatics), flooded harvested crop lands, grain crops properly shocked on the field where grown, or grains found scattered solely as the result of normal agricultural planting or harvesting.

(Sec. 3, 40 Stat. 755, as amended; 16 U.S.C. 704; E.O. 10250, 16 F.R. 5385, 3 CFR, 1949–1953 Comp., p. 757)

FRED G. AANDAHL,
Acting Secretary of the Interior.

JULY 27, 1960.

[F.R. Doc. 60-7096; Filed, July 29, 1960; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 902]

[Docket No. AO–293–A2]

MILK IN WASHINGTON, D.C., MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Washington, D.C., on February 8, 1960, pursuant to notice thereof issued on January 27, 1960 (25 F.R. 805).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Administrator, Agricultural Marketing Service, on June 21, 1960 (25 F.R. 5700) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision on certain issues of the record. Such recommended decision contained notice of the opportunity to file written exceptions thereto.

The material issues on the record of the hearing relate to:

1. The definition of "dairy farmer for other markets".
2. Location differential adjustments to handlers.
3. Accounting for milk received from farmers in bulk tank trucks.
4. Date of announcement of uniform price and dates on which payments to and from the producer settlement fund are made.

Findings and conclusions. The findings and conclusions relative to issue No. 1 were dealt with in a separate decision issued by the Assistant Secretary on March 15, 1960 (25 F.R. 2261). The following findings and conclusions on issues 2, 3, and 4 are based on evidence presented at the hearing and the record thereof:

2. The provisions of the order relative to location differential adjustments on Class I milk should not be changed.

The particular provision of the order at issue concerns the allowance for transportation cost which applies at pool plants 75 miles or more from the milestone in Washington, D.C. Such allowance is expressed as a differential to be subtracted from the Class I price and thus tends to equalize at the marketing area the minimum prices for Class I milk originating from nearby and more distant sources. In the case of milk transferred between plants, the location allowance applies only to that part of the transferred milk which is needed for Class I use in the transferee plant. Accordingly, the provision calls for a computation which assigns transferred milk to available Class II disposition in the transferee plant before assigning any to Class I disposition. Further, in any case where a pool plant receives milk from more than one other plant, the computation of location differential allowance for the transferring plants requires that the Class II milk in the transferee plant be assigned first to the transferor plant having the largest differential, and so on in sequence to that plant having the smallest differential.

The system of order pricing thus recognizes the cost of transportation for moving milk from outlying plants to the marketing area. Other movements of milk directly from producers' farms to plants in the marketing area are subject to hauling charges which are paid by each producer. These hauling charges are allowable under the order, but the rate is not specified. Under these circumstances, all milk moving to the market whether directly from farms or through plants, is subject to transportation charges which are borne by producers.

A proposal of the Queen City Cooperative Dairy would provide that, for the purpose of computing location differential credit to a handler transferring milk from his pool plant to another pool plant, the transferred milk should be considered to be Class I and Class II milk in the same proportion as all milk in the transferee plant.

The Queen City Cooperative operates plants at South Cumberland, Maryland, and Meyersdale, Pennsylvania, 146 and 169 miles, respectively, from the milestone in Washington, D.C. Location differentials of 24 and 27 cents per hundredweight, respectively, are applicable at these plants. These plants qualify for pool status on the basis of shipments to a pool plant from which fluid milk is distributed in the marketing area. In addition to receipts of milk from the two plants operated by the Queen City Cooperative, the pool distributing plant receives milk directly from nearby sources.

Utilization at the plant to which the proponent ships milk is largely for fluid distribution, but the plant also manufactures cottage cheese and sour cream. Cream in excess of plant requirements is disposed of to other plants for manufacturing purposes.

For the purpose of illustrating the effect of the proposal, it may be assumed that all of the Class II milk at the pool distributing plant is assigned to the milk from the Queen City plants. The Class II utilization at the distributing plant was said to be usually about 5 percent of total receipts from all sources. This would be equal to about 5.5 percent of the milk from the Queen City plants, which supply about 90 percent of the milk received. On the basis of these figures, 5.5 percent of the shipped-in milk would be assigned, under the existing order provisions, to Class II milk for purposes of computing the location allowance. Under the proposed revision, the percentage of shipped-in milk assigned to Class II milk should be 5 percent.

The possible effects of the proposal are not confined to the particular situation of the proponent, however, and should be examined in light of its implications for the entire market.

The proponent witness pointed out that some other Federal orders provide different methods of computing transportation allowance, including one similar to that proposed here. The question must be raised in this connection, however, whether the particular circumstances in this market justify such broader application of the transportation allowance. Under the Washington order the entire value of all producer milk is pooled under a marketwide pool. Accordingly, any increase in the transportation allowance on the milk shipments from any one plant would be an additional cost borne by all producers in the market. It was not shown, however, that such additional cost to the pool resulting from this proposal would be justified on the basis of needs of the Class I market. On the contrary, the circumstance that the operations at the distributing plant include the regular manufacture of cottage cheese and sour cream raises the question of whether the milk shipped is partly for the purpose of supplying such Class II business.

The need to limit the application of the transportation allowance must be considered in the light of possible supply arrangements which, under the proposal, would result in a greater cost to the market pool than under the present order provision. For instance, if a distributing plant receives just enough milk directly from farmers to cover its Class I milk distribution, and also carries on a Class II milk manufacturing operation which uses an equal, additional volume of milk, then any milk shipped to such plant from a plant where a location differential applies would not be eligible for transportation allowance under the present order. Under the proposal, however, there would be a deduction from the value of the market pool of the amount of the location differential on half of such shipped-in milk. This cost to producers would be in addition to the hauling charges paid by those producers whose milk moved directly from their farms to the first plant. Under this situation, it is clear that producers for the market would be bearing part of the cost of moving milk going into manufacturing uses. This result is not within the purpose of the Class I milk transportation allowance previously stated herein.

3. Payment for bulk tank milk should be based upon the quantity measured at each farm.

A proposal made by a handler would provide that for producers who have farm tanks, payment would be on the basis of the quantity of milk measured by scales (or other device) at the handler's plant, rather than on the quantity of milk in each farm tank as determined by dip-stick readings made at the farm. Any difference between the plant weight and the stick readings would be prorated to the producers whose milk deliveries are included in the same tank truck, using the amounts resulting from the respective stick readings and their sum as the basis for such proration.

Most of the milk of producers for this market is picked up at farms by tank trucks. Ordinarily the milk of several farmers is combined in one truck load before delivery to the plant. It is customary that the quantity of milk picked up at each farm is measured by use of a dip-stick or other device for measuring the level of the milk in the farm tank. This measurement is converted to pounds of milk on the basis of a chart or table which shows quantities corresponding to each such measurement. The producer of the milk is furnished a receipt for such quantity of milk drawn from the tank. Such method of accounting for milk to the producer has become accepted practice not only in this market but generally in markets where farm tanks have been put in use.

It was contended by proponent that the quantities of milk delivered to his plant in tank trucks as measured by his plant scale are consistently less than the total of the quantities measured by the hauler at the farms from which the milk on the truck is obtained. Various reasons cited as to why differences could occur included inaccurate calibration of the farm tank, failure of the milk hauler to pump all of the milk out of the farm tank, errors in reading the level of milk in the tank, errors in recording the quantities, and losses of milk after being pumped into the tank truck but prior to being placed in a holding tank at the plant. It was contended further that regardless of how perfectly the calibration may be made for any farm tank, the measurement of milk quantities based thereon can be only an approximation of the actual quantity.

As to the amounts of differences which actually have occurred, however, the proponent handler did not present specific data showing actual experience. The only data presented on the record from actual experience were given by a cooperative association engaged in picking up milk at farms in its own tank trucks and delivering such milk to handlers' plants. It found the indicated loss between farm measurements and plant weights in one month to be 19,070 pounds in the handling of approximately 60 million pounds of milk. This amounted to a difference of farm tank measurements over plant scale readings of about $\frac{3}{100}$ of one percent of the milk involved. In another month the total of the plant scale readings exceeded the total of quantities shown by farm tank measurements, in this case also by a very small percentage. A handler other than proponent testified that scale weights at his plant have been both above and below the farm stick measurements on the same milk.

On the basis of the only statistical data submitted on the record, it must be concluded that the normal differences have been relatively small. It is not unreasonable with present-day facilities for measuring, to consider some variation in results between these two methods as normal, even in situations where the farm tank calibrations and the plant scale have been checked by public authorities. In other words, there are practical limits of accuracy in either method of measuring the quantities of milk deliveries by the producer.

As previously stated, the proposal of the handler would base his obligation to producers upon the quantity of milk as determined by his plant scale rather than on the individual quantities measured at producer farms. In such weighing of the truck load as delivered to the plant, the individual quantities from each producer, of course, are obscured. The Act, on the other hand, requires that each order issued thereunder shall establish uniform, minimum prices to all handlers based upon use classification of the milk and provide for the payment of uniform prices to all producers. To fulfill these requirements, preserving equity among handlers and in the distribution of returns among individual producers, there must be a uniform method by which the milk from each producer may be known before it is combined with other milk.

The proposed method of arriving at the quantity of milk for which an individual producer would be paid would be subject, however, to aberrations not strictly related to the measurement of such producer's milk. For example, if under the proposed method, an error occurred in the measurement of milk at any farm, the error would be reflected in the returns to all producers whose milk was picked up in the same truck load.

From a practical standpoint the only available method of measurement which, in the bulk of cases, may be applied to the milk of each producer individually is that taken at the farm. In the unusual case where a single producer's milk constitutes the entire load for one tank truck, the same basis of measurement should be used in order to maintain equity among producers and a uniform method of accounting for milk by handlers. There is in this case, however, an opportunity to compare the two kinds of measurements on the same producer's milk, and if, in any particular instance an unusual difference occurs, the proper resolution should depend on available evidence as to the cause. The proposed method of plant scale reading should not be adopted as the basis of accounting for deliveries to handlers by individual producers.

Since the issuance of the recommended decision the proponent has requested that that hearing he reopened for the limited purpose of receiving evidence consisting of a certain tabulation of data with respect to the farm stick measurements and plant scale weights of milk received from one large producer, such data being for each day during the months of February through May 1960, and several days in June.

The petition of the proponent is not persuasive that such additional evidence could result in any modification of the general conclusion that producer payments should be based upon measurements made at the farm in the case of bulk tank milk. This conclusion has been based mainly upon the consideration that uniform, minimum prices to producers must be paid for each producer's milk as measured individually. The need to apply the same method to the unusual case where a single producer's milk constitutes an entire truckload has already been stated. For the foregoing reasons, the request to reopen the hearing is denied.

4. The date on which the uniform price must be announced should be changed from the 10th to the 11th of each month.

Handlers' reports of receipts and utilization must be submitted to the market administrator no later than the 8th day of each month. Such reports are used by the market administrator to compute and announce the uniform price on or before the 10th day of each month. When a weekend or holiday falls in the period between the date on which reports are due and on which the uniform price must be announced, an unnecessary burden is placed on the market administrator in announcing the uniform price by the date specified. The proposed change would not affect the date on which payments to producers are made for their milk. The change was unopposed at the hearing.

To be consistent with the announcement of the uniform price on the 11th day of each month, the dates on which payments to and from the producer settlement fund are made should be changed from the 11th and 12th day of each month, respectively, to the 12th and 13th day of each month, respectively.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed

to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

RULINGS ON EXCEPTIONS

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Washington, D.C., Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Washington, D.C., Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

DETERMINATION OF REPRESENTATIVE PERIOD

The month of May is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order regulating the handling of milk in the Washington, D.C., marketing area, is approved or favored by producers, as defined under the terms of the order as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Issued at Washington, D.C., this 26th day of July 1960.

CLARENCE L. MILLER,
Assistant Secretary.

Order [1] Amending the Order Regulating the Handling of Milk in the Washington, D.C., Marketing Area

§ 902.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Washington, D.C., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Washington, D.C., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 902.22, delete the word "10th" in paragraph (j)(2) and substitute therefor "11th".

2. In § 902.84, delete the word "11th" and substitute therefor "12th".

3. In § 902.85, delete the word "12th" and substitute therefor "13th".

[F.R. Doc. 60-7075; Filed, July 29, 1960; 8:45 a.m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 71]

FOREIGN QUARANTINE

Fumigating Vessels

On December 12, 1959, a Notice of Proposed Rule Making was published in the FEDERAL REGISTER (24 F.R. 10078) stating that the Surgeon General of the Public Health Service, with the approval of the Secretary of Health, Education, and Welfare, was proposing to amend § 71.103 of the Public Health Service Regulations to require the owner or agent of a vessel to arrange for and bear the expense of fumigation of the vessel when such fumigation is required under the regulations in this part. After review of the subject, including consideration of relevant matter presented by interested persons, it has been determined that the public interest, in affording protection against introduction of communicable disease into the United States, would be better served by not adopting the proposed amendment. Accordingly, the proposed amendment is withdrawn.

Dated: July 11, 1960.

[SEAL] ARNOLD B. KURLANDER,
Acting Surgeon General.

PARKE M. BANTA,
Acting Secretary.

[F.R. Doc. 60-7116; Filed, July 29, 1960; 8:48 a.m.]

FEDERAL AVIATION AGENCY

Bureau of Air Traffic Management

[14 CFR Part 601]

[Airspace Docket No. 60-WA-85]

CONTROL ZONES

Withdrawal of Proposed Designation

In a Notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 60-WA-85 on April 20, 1960 (25 F.R. 3424), it was proposed to designate a control zone at Toledo, Ohio, within a 5-mile radius of the Toledo Municipal Airport, and within 2 miles either side of the north course of the Toledo radio range extending from the 5-mile radius zone to the radio range to provide protection for aircraft conducting IFR approaches and departures at the Toledo Municipal Airport. Subsequent to publication of the notice, it

has been determined that the weather reporting service required for control zone operation is not available at the Toledo Municipal Airport. Accordingly, the proposal to designate a control zone at Toledo, Ohio, Municipal Airport is being withdrawn.

In considefation of the foregoing, the notice of proposed rule making contained in Airspace Docket No. 60-WA-85 is hereby withdrawn.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on July 25, 1960.

CHARLES W. CARMODY,
Chief,
Airspace Utilization Division.

[F.R. Doc. 60-7084; Filed, July 29, 1960; 8:46 a.m.]

Notices

DEPARTMENT OF STATE

[Public Notice 171]

[Delegation of Authority 23–E]

DELEGATION OF AUTHORITY FOR PROCUREMENT TRANSACTIONS

By virtue of the authority vested in the Secretary of State by the Act of May 26, 1949 (63 Stat. 111; 5 U.S.C. 151c and 22 U.S.C. 811a), as amended, the authority vested in the Secretary of State by Delegation of Authority No. 363, dated March 10, 1959, signed by Franklin Floete, Administrator of General Services, and in accordance with the authority conferred by section 307 of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress (63 Stat. 377), as amended, upon the "Agency Head" as defined in section 309(a) of said Act, there is hereby delegated to the officials listed below (and to any official legally designated to act for one of those enumerated during the absence or incapacity of the latter) authority to make purchases and contracts, to sign and issue purchase orders, contracts, and certificates of award in connection therewith, and to use the procurement procedures contained in title III of Public Law 152, 81st Congress (63 Stat. 377), as amended, subject to the specific limitations indicated below. The authority hereby delegated is subject to all other applicable provisions of law and to all instructions, regulations and directives which are now in effect or which may be issued hereafter by the Department of State, or by any other Government agency of competent jurisdiction, governing purchasing and contracting functions.

a. *Office of Operations.* Chief, Division of Supply Management; Chief, Procurement Branch; Contract Specialists, Procurement Branch; Procurement Officer, Procurement Branch; Purchase Agent, Procurement Branch.

Limitations: (1) The following limitations as to dollar amount per transaction apply to the positions indicated: Chief, Procurement Branch, $50,000; Contract Specialists, Procurement Branch, $20,000; Procurement Officer, Procurement Branch, $10,000; Purchase Agent, Procurement Branch, $1,000. (2) No authority is delegated to make the determinations and decisions specified in Public Law 152, as amended, section 305(c) or paragraphs (12) and (13) of section 302(c). (3) Authority to make determinations and decisions specified in paragraph (11) of section 302(c) is delegated only to the Chief, Division of Supply Management, and said authority is limited to contracts which will not require the expenditure of more than $25,000. (4) Authority to authorize a cost, cost-plus-a-fixed-fee, or any other incentive-type contract, either within or outside the United States and its possessions, and to make the determinations and decisions specified in section 304(b) is delegated only to the Chief, Division of Supply Management. (5) Authority to negotiate contracts for services in accordance with section 302(c)(5) is delegated only to the Chief, Division of Supply Management, and the Chief, Procurement Branch.

b. *Office of Intelligence Resources and Coordination.* Chief, Library Division; Deputy Chief, Library Division; Procurement Officer, Library Division.

Limitations: (1) Transactions for the purchase of newspapers, books, maps, and periodicals. (2) The following limitation as to dollar amount per transaction applies to the position indicated; Procurement Officer, Library Division, $100. (3) No authority is delegated to make the determinations and decisions specified in Public Law 152, as amended, section 305(c) or paragraphs (11), (12), and (13) of section 302(c); to authorize cost, cost-plus-a-fixed-fee, or any other incentive-type contract; or to make the determinations and decisions specified in section 304(b).

c. *Office of Foreign Buildings.* Director, Office of Foreign Buildings; Assistant Director for Operations, Office of Foreign Buildings.

Limitations: (1) Transactions chargeable to funds available in the appropriation "Acquisition of Buildings Abroad" (after June 30, 1959, "Acquisition, Operation and Maintenance of Buildings Abroad") or in other appropriations available for foreign buildings operations. (2) The following limitation as to dollar amount per transaction applies to the position indicated: Assistant Director for Operations, Office of Foreign Buildings, $2,500. (3) No authority is delegated to make the determinations and decisions specified in Public Law 152, as amended, section 305(c) or paragraphs (11), (12), and (13) of section 302(c). (4) The authority to authorize a cost, cost-plus-a-fixed-fee, or any other incentive-type contract, and to make the determinations and decisions specified in section 304(b) is delegated only to the Director, Office of Foreign Buildings, and said delegation is limited to those contracts for supplies or services which are to be delivered to points outside the United States and its possessions.

This delegation of authority supersedes Delegation of Authority No. 23–D dated May 5, 1959.

Dated: July 11, 1960.

For the Secretary of State.

LANE DWINELL,
Assistant Secretary for Administration.

[F.R. Doc. 60–7117; Filed, July 29, 1960; 8:49 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[643.3]

PORTLAND GRAY CEMENT FROM PORTUGAL

Notice That There Is Reason To Believe or Suspect Purchase Price Is Less or Likely To Be Less Than Foreign Market Value

JULY 26, 1960.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of Portland gray cement imported from Portugal is less or likely to be less than the foreign market value, as defined by sections 203 and 205, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162 and 164).

Customs officers are being authorized to withhold appraisement of entries of Portland gray cement for Portugal pursuant to § 14.9 of the Customs Regulations (19 CFR 14.9).

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F.R. Doc. 60–7115; Filed, July 29, 1960; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

JULY 22, 1960.

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska effective 10:00 a.m., August 15, 1960.

SEWARD MERIDIAN

T. 20 N., R. 9 E.,
- Sec. 19: Lots 1, 2, 3, 4, E½W½, E½;
- Sec. 20: Lot 1, N½, SW¼, W½SE¼, SE¼SE¼;
- Sec. 21: Lots 1, 2, 3, N½, SE¼, S½SW¼;
- Sec. 22: All;
- Sec. 23: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, S½SE¼, N½NE¼, NW¼;
- Sec. 25: Lots 1, 2, 3, 4, 5, 6, NE¼, N½NW¼, SE¼NW¼, N½SE¼;
- Sec. 26: Lots 1, 2, 3, 4, 5, 6, N½N½;
- Sec. 27: Lots 1, 2, 3, 4, 5, N½N½;
- Sec. 28: Lots 1, 2, 3, 4, NW¼, W½NE¼, NE¼NE¼;
- Sec. 29: Lots 1, 2, 3, 4, NE¼, W½NW¼, NE¼NW¼;
- Sec. 30: Lots 1, 2, 3, 4, 5, 6, 7, E½NW¼, NE¼, NE¼SW¼.

Containing 5,414.47 acres.

2. The survey of the land in this range is located along the north side of the Matanuska River, approximately 100 miles northeast of Anchorage, Alaska. The Glenn Highway extends through the surveyed sections of this range. Unimproved roads and tractor trails, used mostly for hunting and timber cutting purposes, are found in most of the sections. The land in general is hilly to mountainous with a ground cover consisting of spruce and aspen timber with willow and alder underbrush, and an abundance of various small under bushes.

The soil is mostly sandy loam on the level and rolling areas with rock, silt, and gravelly loam formed along the cliff slopes and the river banks.

3. The following land lies within Air Navigation Site 196, enlarged dated November 30, 1942, which was withdrawn for the use of the Civil Aeronautics Administration.

SEWARD MERIDIAN

T. 20 N., R. 9 E.,
Sec. 25: NE¼NW¼, NE¼, N½SE¼, Lots 3, 4, 5, 6
Containing 439.93 acres.

4. Subject to valid existing rights and the requirements of applicable law, the lands described in paragraph one of this order and not withdrawn by paragraph three, are hereby opened to filing of applications, selections and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager, Anchorage Land Office, beginning on the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraph:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws, other than those mentioned under paragraph (1) above, and applications and offers under the mineral leasing laws presented prior to 10:00 a.m. on October 14, 1960, will be considered simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning at 10:00 a.m. on October 14, 1960.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

6. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in Part 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65, and 166 of Title 43 of the Code of Federal Regulations.

7. Inquiries concerning these lands shall be addressed to the Manager, Anchorage Land Office, Anchorage, Alaska.

DALE E. ZIMMERMAN,
Acting Manager.

[F.R. Doc. 60-7099; Filed, July 29, 1960; 8:46 a.m.]

ALASKA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

JULY 22, 1960.

1. Plat of survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska effective at 10:00 a.m. August 15, 1960.

SEWARD MERIDIAN

T. 20 N., R. 10 E.,
Sec. 20: Lots 1, 2, N½, N½S½, SE¼SE¼, SW¼SW¼;
Sec. 24: All;
Sec. 25: Lots 1, 2, 3, 4, N½;
Sec. 26: Lots 1, 2, 3, 4, 5, E½NW¼, NE¼;
Sec. 27: Lots 1, 2, 3, 4, 5, 6, N½NW¼, NW¼NE¼;
Sec. 28: Lots 1, 2, 3, 4, 5, 6, 7, NE¼, N½NW¼, SE¼NW¼, NW¼SE¼;
Sec. 29: Lots 1, 2, 3, 4, 5, 6, 7, NW¼, NE¼NE¼, N½SW¼, SE¼SW¼, NW¼SE¼, S½SE¼;
Sec. 30: Lots 1, 2, 3, 4, 5, 6, 7, NE¼, E½NW¼, N½SE¼, NE¼SW¼.
Containing 3,990.16 acres.

2. This survey is located along the north side of the Matanuska River approximately one hundred miles northeast of Anchorage, Alaska. The Glenn Highway extends through this surveyed area. Caribou Creek flows through Sections 20, 28 and 29 of the survey and joins the Matanuska River at the south boundary of Section 28. The area surveyed is very mountainous with elevations ranging from 1,700 to 4,800 feet. The ground cover consists mostly of spruce, aspen, alder, and willow timber with an abundance of berrybush underbrush. The soil is mostly sandy loam along the more level areas changing to gravelly loam and rock along the cliff slopes and river banks. There are no surface indications of any precious metal deposits and no mineral or hot springs are known to exist in the vicinity.

3. The following lands were withdrawn by Public Land Order 255 dated April 21, 1944 subject to valid existing rights and the provisions of outstanding withdrawals, the public lands within the following-described areas in Alaska are hereby temporarily withdrawn from settlement, location, sale, or entry, for classification:

Sec. 29: S½SE¼, E½W½SE¼SW¼, E½SE¼SW¼ (S½SW¼NE¼SE¼), (S½SE¼NW¼SE¼).
All that portion of (S½SW¼NW¼SE¼) that lies south of the centerline (S½SE¼NE¼SW¼) of the Glenn Highway (SE¼SW¼NE¼SW¼);
Sec. 30: Lot 7 and (S½S½NE¼NE¼); All that portion (S½S½NE¼NE¼) that lies south of the centerline of the Glenn Highway.

4. The following land lies within Air Navigation Site 196, enlarged, dated November 30, 1942 subject to valid existing rights, which was withdrawn for the use of the Civil Aeronautics Administration:

Sec. 29: W½ Lot 3, Lot 7, W½NW¼SE¼, S½NW¼, N½SW¼, SE¼SW¼, W½SW¼SE¼;
Sec. 30: Lots 1, 2, 3, 4, 5, 6, 7, E½NW¼, S½NE¼, W½NW¼NE¼, N½SE¼, NE¼SW¼.

5. Subject to valid existing rights and the requirements of applicable law, the lands described in paragraph one of this order and not withdrawn by paragraph three, and paragraph four, are hereby opened to filing of applications, selections and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager, Anchorage Land Office, beginning on the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraph:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws, other than those mentioned under paragraph (1) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a.m. on October 14, 1960, will be considered simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning at 10:00 a.m. on October 14, 1960.

6. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

7. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in Part 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65, and 166 of Title 43 of the Code of Federal Regulations.

8. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in Part 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65, and 166 of Title 43 of the Code of Federal Regulations.

9. Inquiries concerning these lands shall be addressed to the Manager, Anchorage Land Office, Anchorage, Alaska.

DALE E. ZIMMERMAN,
Acting Manager.

[F.R. Doc. 60-7100; Filed, July 29, 1960; 8:46 a.m.]

ALASKA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

JULY 22, 1960.

1. Plat of the extension survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska effective at 10:00 a.m. August 15, 1960.

SEWARD MERIDIAN

T. 20 N., R. 11 E.,
Sec. 19: Lots 1, 2, 3, 4, E½W½, E½;
Sec. 30: Lots 1, 2, 3, 4, 5, 6, NE¼, E½NW¼.
Containing 935.05 acres.

2. The land in these sections is generally hilly and rolling with exception of the Northwest portion of Section 19, which is very steep and mountainous. The soil over most of the area north of the highway is rocky, the remainder is a sandy loam. Scattered spruce timber is found throughout and occasional stands of second growth aspen, with fairly heavy undergrowth, consisting of alder, willow, and berrybush and cover of muskeg growth.

The Matanuska River crosses the southern portion of Section 30, the right bank is the limit of this survey. There is no navigation owing mainly to the swiftness of the river and to the rapids encountered, but it is considered meanderable. The Glenn Highway traverses through Section 19. The land is generally not suitable for agriculture.

3. Subject to valid existing rights and the requirements of applicable law, the lands described in paragraph one of this order are hereby opened to filing of applications, selections and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager, Anchorage Land Office, beginning on the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraph:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws, other than those mentioned under paragraph (1) and applications and offers under the mineral leasing laws, presented prior to 10:00 a.m. on October 14, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning 10:00 a.m. on October 14, 1960.

4. Persons claiming preference rights based upon valid settlement statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

5. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in Part 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations.

6. Inquiries concerning these lands shall be addressed to the Manager, Anchorage Land Office, Anchorage, Alaska.

DALE E. ZIMMERMAN,
Acting Manager.

[F.R. Doc. 60-7101; Filed, July 29, 1960; 8:46 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Reclamation of the United States Department of the Interior has filed an application, Serial Number Colorado 042348, for withdrawal of the lands described below from public entry, under the first form of withdrawal as provided by section 3 of the Act of June 17, 1902 (32 Stat. 388).

The applicant desires the land for use as a source of riprap material to be used in construction of the Smith Fork Project.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado State Office, 339 New Custom House, P.O. Box 1018, Denver 1, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary of the Interior on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 15 S., R. 91 W.,
Sec. 31, SE¼NE¼.
Total 40 acres.

J. ELLIOTT HALL,
Lands and Minerals Officer.

JULY 25, 1960.

[F.R. Doc. 60-7102; Filed, July 29, 1960; 8:47 a.m.]

[Notice 12]

ALASKA

Filing of Protraction Diagrams, Fairbanks Land District

JULY 25, 1960.

Notice is hereby given that the following protraction diagrams have been officially filed of record in the Fairbanks Land Office, 516 Second Avenue, Fairbanks, Alaska. In accordance with 43 CFR 192.42a(c), (24 F.R. 4140, May 22, 1959) oil and gas offers to lease lands shown in these protracted surveys, filed 30 days after publication of this notice in the FEDERAL REGISTER, must describe the lands only according to the Section, Township and Range shown on the approved protracted surveys. The protraction diagrams are also applicable for all other authorized uses.

ALASKA PROTRACTION DIAGRAMS (UNSURVEYED)

FAIRBANKS MERIDIAN—FOLIO NO. 9

Approved June 21, 1960

Sheet No.	
4.	Ts. 1 through 4 S., Rs. 1 through 4 E.
5.	Ts. 5 through 8 S., Rs. 1 through 4 E.
6.	Ts. 5 through 8 S., Rs. 5 through 8 E.
7.	Ts. 5 through 8 S., Rs. 9 through 21 E.
10.	Ts. 9 through 12 S., Rs. 9 through 12 E.

SEWARD MERIDIAN—FOLIO NO. 4

Approved June 17, 1960

Sheet No.	
1.	Ts. 33 through 34 N., Rs. 33 through 36 W.
2.	Ts. 33 through 34 N., Rs. 37 through 40 W.
3.	Ts. 33 through 34 N., Rs. 41 through 44 W.
4.	Ts. 33 through 34 N., Rs. 45 through 48 W.
5.	Ts. 29 through 32 N., Rs. 45 through 48 W.
6.	Ts. 29 through 32 N., Rs. 41 through 44 W.
7.	Ts. 29 through 32 N., Rs. 37 through 40 W.
8.	Ts. 29 through 32 N., Rs. 33 through 36 W.
9.	Ts. 25 through 28 N., Rs. 33 through 36 W.
10.	Ts. 25 through 28 N., Rs. 37 through 40 W.
11.	Ts. 25 through 28 N., Rs. 41 through 44 W.
12.	Ts. 25 through 28 N., Rs. 45 through 48 W.

Sheet No.
13. Ts. 21 through 24 N., Rs. 45 through 48 W.
14. Ts. 21 through 24 N., Rs. 41 through 44 W.
15. Ts. 21 through 24 N., Rs. 37 through 40 W.
16. Ts. 21 through 24 N., Rs. 33 through 36 W.
17. Ts. 17 through 20 N., Rs. 33 through 36 W.
18. Ts. 17 through 20 N., Rs. 37 through 40 W.
19. Ts. 17 through 20 N., Rs. 41 through 44 W.
20. Ts. 17 through 20 N., Rs. 45 through 48 W.
Cover sheet showing location map and index.

Copies of these diagrams are for sale at one dollar ($1.00) per sheet and may be obtained from the Fairbanks Land Office, Bureau of Land Management, mailing address: 516 Second Avenue, Fairbanks, Alaska.

DANIEL A. JONES,
Manager.

[F.R. Doc. 60-7114; Filed, July 29, 1960; 8:48 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

SETTLEMENT OF CLAIMS ARISING FROM THE ACTIVITIES OF CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE

The Secretary of Defense approved the following on July 20, 1960:

By virtue of the authority vested in me as Secretary of Defense by section 2734(h) of Title 10, United States Code, I designate all claims commissions appointed under section 2734(a) of Title 10, United States Code, to settle and pay claims covered by section 2734(h).

Delegation of Authority published at 22 F.R. 418 is hereby cancelled.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 60-7120; Filed, July 29, 1960; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-133]

PACIFIC GAS & ELECTRIC CO.

Order and Notice of Hearing

The Atomic Energy Commission, by the undersigned Presiding Officer, having under consideration: (1) A letter filed by the applicant on July 20, 1960 requesting that a hearing be set for August 11th or 12th or as soon thereafter as possible; (2) a responding letter from the attorney for the AEC Staff dated July 22, 1960; and (3) the procedural facts and matters shown by the public documents hereinafter referred to; and

It appearing that on March 10, 1960 there was issued by the Director, Division of Licensing and Regulation, a Notice of Hearing upon the application of Pacific Gas & Electric Company for a construction permit for a 50 megawatt (electrical) single-cycle, natural internal circulation boiling water nuclear reactor to be located near Eureka, California, wherein the hearing was scheduled to be held before Samuel W. Jensch, Esq. as the Presiding Officer at Germantown, Maryland on April 14, 1960 or on such later date as might be designated by the Presiding Officer; and

It further appearing from the Notice of Postponement of Hearing issued on April 4, 1960 by the said Presiding Officer that at the request of the applicant the date for hearing was postponed to a date to be designated after receipt by the Presiding Officer from the applicant of a report of completion of certain proposed tests and a request for hearing; and that the Notice further provided that public notice of the date for reconvening the hearing shall be given by publication in the FEDERAL REGISTER at least 15 days prior to the designated date for the hearing; and

It further appearing that on July 19, 1960 this docketed proceeding was assigned by Samuel W. Jensch as Chief Hearing Examiner to the undersigned Hearing Examiner who was thus designated as Presiding Officer to conduct the further procedings herein; and

It further appearing that the applicant's letter request, item (1) above, reports completion of the tests referred to and requests a hearing date and thus complies with the conditions stated in the Notice of Postponement; and

It further appearing that the Staff letter, item (2) above, states that the suggested dates are acceptable to the AEC Staff, and further states that August 24th and 25th are alternate dates acceptable to both parties if the August 11th and 12th dates are not available; and

It further appearing that the initially requested dates of August 11th and 12th are deemed unavailable for hearings in this matter because the Presiding Officer has heretofore scheduled hearings in three other Commission proceedings to be conducted by him at Knoxville, Tennessee, during the week of August 8th to 12th, but that the alternative dates of August 24th and 25th are available for hearing upon this application, and that the scheduling of the hearing upon those dates will conduce to the orderly dispatch of the Commission's business, now therefore:

It is ordered, This 25th day of July 1960 that (1) the hearing in this proceeding shall be convened at 10:30 a.m. on August 24, 1960, in the Auditorium of the headquarters of the Atomic Energy Commission at Germantown, Maryland, for the purposes shown in the original Notice of Hearing issued on March 10, 1960, 25 F.R. 2120; (2) the convened hearing may be adjourned from time to time and place to place as the circumstances and the public interest may require and as the applicable law and Commission's rules may permit; (3) as stated in the original Notice of Hearing, petitions for leave to intervene may be filed with the Commission not later than August 15, 1960; and (4) this Order shall be published in the FEDERAL REGISTER.

Issued: July 25, 1960, Germantown, Md.

ATOMIC ENERGY COMMISSION,
J. D. BOND,
Presiding Officer.

[F.R. Doc. 60-7079; Filed, July 29, 1960; 8:45 a.m.]

[Docket No. 50-123]

THE CURATORS OF THE UNIVERSITY OF MISSOURI SCHOOL OF MINES AND METALLURGY

Amendment of Construction Permit

Please take notice that the Atomic Energy Commission has issued Amendment No. 2 to Construction Permit No. CPRR-44 set forth below. The amendment increases the allocation of plutonium to the University of Missouri for use in connection with the facility from 80 grams of plutonium contained in plutonium-beryllium sealed sources to 160 grams of plutonium contained in plutonium-beryllium sealed sources.

The Commission has found that the University is financially qualified to assume responsibility for the payment of Commission charges for the special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time. It has found, further, that the issuance of the amendment is not inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of the amendment is not necessary in the public interest since no hazards considerations are involved.

In accordance with the Commission's rules of practice (10 CFR Part 2), the Commission will direct the holding of a formal hearing on the matter of the issuance of the construction permit amendment upon receipt of a request therefor from the permittee or an intervener within thirty days after issuance of the construction permit amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. For further details see the application for amendment submitted by the Curators of the University of Missouri, School of Mines and Metallurgy on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 25th day of July 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[Construction Permit No. CPRR-44; Amdt. 2]

Paragraph 6 of Construction Permit No. CPRR-44 is hereby amended to read as follows:

6. Pursuant to § 50.60 of the regulations in Title 10, Chapter 1, CFR, Part 50, The Commission has allocated to University of Missouri for use in connection with the facility 7 kilograms of uranium 235 contained in highly enriched uranium and 160 grams of plutonium contained in plutonium-beryllium sealed sources.

The amendment is effective as of the date of issuance.

Date of issuance: July 25, 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 60-7080; Filed, July 29, 1960; 8:45 a.m.]

[Docket No. 50-87]

WESTINGHOUSE ELECTRIC CORP.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued to Westinghouse Electric Corporation, Amendment No. 3, set forth below, to Facility License No. CX-11, authorizing operation until July 3, 1967, of the CES Facility at the Westinghouse Reactor Evaluation Center located near Waltz Mill in Westmoreland County, Pennsylvania. The CES Facility is designed for the performance of critical experiments relating to the Westinghouse Testing Reactor.

Facility License No. CX-11, originally issued June 17, 1958, was amended, effective January 7, 1959, and October 29, 1959, to authorize the performance of additional experiments and facility modifications. In accordance with applicant's original request, the license was made valid until June 14, 1960. Westinghouse filed an application for renewal dated June 24, 1960.

The Commission has found that operation of the reactor in accordance with the terms and conditions of the license, as amended, will not present undue hazard to the health and safety of the public.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the facility under the amended license will not present any change in the hazard to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operating license.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within 30 days after the issuance of the license amendment. Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

For further details see the application amendment dated June 24, 1960, submitted by Westinghouse Electric Corporation on file at the Commission's Public Document Room.

Dated at Germantown, Md., this 20th day of July 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[License No. CX-11; Amdt. 3]

License No. CX-11, as amended, is revised in its entirety to read as follows:

(1) The Atomic Energy Commission (hereinafter "the Commission") finds that:

A. Westinghouse will operate the facility in conformity with the application dated October 21, 1957, and amendments thereto dated October 31, 1957, February 18, 1958, November 20, 1958, September 1, 1959, and request for license renewal dated June 24, 1960 (hereinafter "the application"), and in conformity with the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission;

B. There is reasonable assurance that the critical experiment facility can be operated without endangering the health and safety of the public;

C. Westinghouse is technically and financially qualified to operate the critical experiment facility;

D. Issuance of a license to possess and operate the critical experiment facility will not be inimical to the common defense and security or to the health and safety of the public;

E. Westinghouse has submitted proof of financial protection which satisfies the requirements of Commission regulations which are currently in effect.

(2) Subject to the conditions and requirements incorporated herein the Commission hereby licenses Westinghouse:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities" to possess and operate as a utilization facility the nuclear critical experiment facility designated below, and to conduct critical experiments as described in the application.

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material", to possess and use 21 kilograms of contained uranium-235 as fuel for operation of the critical experiment facility;

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material" to possess but not to separate, such byproduct material as may be produced in the operation of the critical experiment facility.

(3) This license applies to the CES critical experiment facility which is owned by Westinghouse and located at the Westinghouse Reactor Evaluation Center near Waltz Mill in Westmoreland County, Pennsylvania, and described in the application. The critical experiment facility is moderated and reflected by water and designed to operate at thermal power levels up to 100 watts as described in the application.

(4) This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50; is subject to all applicable provisions of the Act and rules, regulations, and orders of the Commission now or hereafter in effect, and is subject to the additional conditions specified or incorporated below:

A. *Operating restrictions.* (1) Westinghouse shall not operate the reactor at a power level in excess of 100 watts (thermal).

(2) Westinghouse shall not perform a critical experiment other than the experiments described in the application in the facility until a description of the experiment and a hazards summary report shall have been submitted to the Commission and the Commission shall have specifically authorized the experimental activity.

(3) In conducting the experiments described in the application amendment dated September 1, 1959:

(a) The total available absolute reactivity in experiments in the core and the reflector regions shall not exceed 1% delta k/k.

(b) The total available absolute reactivity in experiments in the reflector region shall not exceed 0.5% delta k/k.

B. *Records.* In addition to those otherwise required under this license and applicable regulations, Westinghouse shall keep the following records:

(1) Reactor operating records, including power levels.

(2) Records showing radioactivity released or discharged into the air or water beyond the effective control of Westinghouse as measured at the point of such release or discharge.

(3) Records of emergency scrams, including reasons for emergency shutdowns.

C. *Reports.* Westinghouse shall immediately report to the Commission any indication or occurrence of a possible unsafe condition relating to the operation of the critical experiment facility.

5. This amended license is effective as of the date of issuance and shall expire at midnight July 3, 1967.

Date of issuance: July 20, 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 60-7081; Filed, July 29, 1960; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

BARTHOLOMEW'S COMMISSION SALE ET AL.

Proposed Posting of Stockyards

The Director of the Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the act.

Bartholomew's Commission Sale, Middleburgh, N.Y.
D. R. Chambers & Sons, Inc., Unadilla, N.Y.
Farmers Livestock Market, Bath, N.Y.
Norvel Reed Livestock, Commission Auction, Sherman, N.Y.
Sunny Acres Livestock Market, Bombay, N.Y.
Warrenton Livestock Market, Warrenton, N.C.
Raymond Pope's Livestock Sales Pavilion, Vinita, Okla.
Douglas Livestock Market, Wilbur, Oreg.

Notice is hereby given, therefore, that said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D.C., this 27th day of July 1960.

HOWARD J. DOGGETT,
Director, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 60-7131; Filed, July 29, 1960; 8:50 a.m.]

FORT WAYNE UNION STOCK YARDS

Deposting of Stockyards

It has been ascertained, and notice is hereby given, that the Fort Wayne Union Stock Yards, Fort Wayne, Indiana, originally posted on July 1, 1922, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer comes within the definition of a stockyard under said act for the reason that it is no longer being conducted or operated as a public market, and is, therefore, no longer subject to the provisions of the act.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not deposting promptly a stockyard which is no longer within the definition of that term contained in said act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U.S.C. 181 *et seq.*)

Done at Washington, D.C., this 27th day of July 1960.

HOWARD J. DOGGETT,
Director, Packers and Stockyards Division, Agricultural Marketing Service.

[F.R. Doc. 60-7132; Filed, July 29, 1960; 8:50 a.m.]

Agricultural Research Service

IDENTIFICATION OF CARCASSES OF CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904) and the statement of policy thereunder in 9 CFR 181.1, the following table lists the establishments operated under Federal inspection under the Meat Inspection Act (21 U.S.C. 71 et seq.) which were officially reported on July 1, 1960, as humanely slaughtering and handling on that date the species of livestock respectively designated for such establishments in the table. Establishments reported after July 1 as using humane methods on July 1 or a later date in July will be listed in a supplemental list. Previously published lists represented establishments reported in June or July 1960 as humanely slaughtering and handling the designated species of livestock on June 1 or some later date in June, 1960 (25 F.R. 5954, 6370, 6545, and 6933). The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods:

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Armour & Co.	2AD	(*)	(*)				
Do.	2AG	(*)					
Do.	2AT	(*)		(*)		(*)	
Do.	2AU	(*)		(*)			
Do.	2B	(*)					
Do.	2C	(*)		(*)		(*)	
Do.	2E	(*)					
Do.	2F	(*)	(*)				
Do.	2G	(*)	(*)	(*)			
Do.	2H	(*)					
Do.	2LT	(*)					
Do.	2SD	(*)	(*)	(*)	(*)	(*)	
Do.	2WN	(*)	(*)				
Swift & Co.	3A	(*)	(*)	(*)		(*)	
Do.	3AC	(*)				(*)	
Do.	3AE	(*)	(*)			(*)	
Do.	3AF	(*)	(*)				
Do.	3AN	(*)	(*)			(*)	
Do.	3AW	(*)		(*)		(*)	
Do.	3B	(*)	(*)	(*)		(*)	
Do.	3C	(*)	(*)	(*)			
Do.	3CC	(*)		(*)			
Do.	3D	(*)	(*)	(*)		(*)	
Do.	3E	(*)	(*)	(*)		(*)	
Do.	3F	(*)	(*)	(*)	(*)	(*)	
Do.	3FF	(*)	(*)	(*)		(*)	
Do.	3K	(*)	(*)				
Do.	3L	(*)				(*)	
Do.	3N	(*)	(*)	(*)		(*)	
Do.	3NN	(*)	(*)	(*)		(*)	
Do.	3R	(*)	(*)			(*)	
Do.	3S					(*)	
Do.	3T	(*)	(*)				
Do.	3UU	(*)	(*)	(*)		(*)	
Do.	3W	(*)	(*)			(*)	
Do.	3Z	(*)	(*)				
Lykes Bros. Inc., Ga.	8	(*)					
The Cudahy Packing Co.	10	(*)	(*)				
Hygrade Food Products Corp.	12	(*)	(*)	(*)		(*)	
Do.	12A	(*)				(*)	
Do.	12C	(*)	(*)	(*)		(*)	
Do.	12D	(*)		(*)			
Do.	12G	(*)	(*)			(*)	
John Morrell & Co.	17	(*)				(*)	
Do.	17A	(*)				(*)	
The Cudahy Packing Co.	19	(*)		(*)		(*)	
Cudahy Packing Co., Nebr.	19E	(*)	(*)	(*)		(*)	
Wilson & Co., Inc.	20A	(*)				(*)	
Do.	20N	(*)	(*)	(*)		(*)	
Do.	20Q	(*)	(*)			(*)	
Do.	20Y	(*)	(*)	(*)		(*)	
Swift & Co.	23	(*)		(*)			
Brander Meat Co.	25	(*)					
American Packing Co.	26	(*)					
Sperry & Barnes Co.	27C					(*)	
Kreinberg & Krasny, Inc.	30	(*)					
Valleydale Packers, Inc.	34	(*)	(*)			(*)	
Armour & Co.	35	(*)					
Mont. Packing Co., Inc.	37	(*)	(*)	(*)			
Pocomoke Prov. Co.	39	(*)					
Armour & Co.	40	(*)	(*)			(*)	
Stark Wetzel & Co., Inc.	44	(*)					
Astor Abattoir, Inc.	45	(*)					
Idaho Meat Packers	46	(*)	(*)				
Consolidated Dressed Beef	47	(*)	(*)	(*)			
Lackawanna Beef & Prov.	49	(*)					
Nevada Meat Packing Co.	52	(*)	(*)	(*)	(*)	(*)	
National Foods, Inc.	53	(*)					
Insel & Insel	54	(*)	(*)	(*)	(*)		
Swift & Co.	59		(*)	(*)			
Glover Packing Co., Amar.	60	(*)					
Quaker Oats Co.	67E						(*)
Minch Wholesale Meats, Inc.	72	(*)	(*)	(*)		(*)	
Eastern Packing Co.	74E						(*)
Armour & Co.	75			(*)			
The Quaker Oats Co.	76E						(*)
City Packing Co.	80	(*)	(*)				
The Cudahy Packing Co.	81	(*)	(*)			(*)	
Hill Packing Co.	83E						(*)
Edgar Packing Co.	84		(*)				
Excel Packing Co., Inc.	86	(*)					
The E. Kahns Sons, Co.	89	(*)	(*)	(*)		(*)	
Hygrade Food Products Corp.	90	(*)					
Sugardale Prov. Co.	92	(*)	(*)				
Shonyos, Inc.	93	(*)					
Wm. G. Rehns Sons	96	(*)	(*)	(*)			
John Engelhorn & Sons	97					(*)	
A. Kochs Sons	98	(*)					
Armour & Co.	100	(*)	(*)				
Liberty Packing Co., Inc.	101	(*)	(*)				
Queen City Packing Co.	102	(*)					
H. Graver Co.	103	(*)					

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Swift & Co	104	(*)	(*)	(*)		(*)	
Wilson & Co	111	(*)	(*)	(*)		(*)	
Geo. Hoffman Packing Co	112	(*)					
Morris Packing Co	113	(*)					
Wilson & Co., Inc	119	(*)	(*)	(*)			
Marhoefer Packing Co., Inc	121	(*)					
E. J. Archie & Sons, Inc	122	(*)					
City Dressed Beef	125	(*)					
Peyton Packing Co	126	(*)	(*)	(*)	(*)	(*)	
Superior Packing Co	127	(*)					
Luer Packing Co	128	(*)					
John Roth & Sons, Inc	130	(*)					
Tobin Packing Co., Inc	133					(*)	
Armour & Co	139	(*)					
R. B. Rice Saus. Co., Inc	144					(*)	
John W. Williams, Inc	151			(*)	(*)		
Siegel Weller Packing Co	153	(*)					
Kansas City Dressed Beef Co	156	(*)					
Glaser Dressed Beef	158	(*)					
Joel E. Harrell & Son	162	(*)	(*)			(*)	
Southern Packing Co	164	(*)	(*)			(*)	
Swift & Co	166A	(*)	(*)	(*)	(*)	(*)	
Camp Packing Co., Inc	174	(*)					
Armour & Co	177	(*)	(*)				
Peerless Packing Co	180					(*)	
Swift & Co	184		(*)	(*)			
The Rath Packing Co	186	(*)	(*)	(*)		(*)	
Do	186C	(*)	(*)				
Fort Dodge Packing Co	187	(*)					
Standard Packing Co	188	(*)					
Krey Packing Co	192	(*)					
Hynes Packing Co	197	(*)					
Fryer & Stillman, Inc	198	(*)					
Geo. A. Hormel & Co	199	(*)	(*)	(*)		(*)	
Do	199D					(*)	
Do	199I					(*)	
Do	199N	(*)				(*)	
Mid Valley Beef Co., Inc	201	(*)					
Cudahy Packing Co	202	(*)				(*)	
Do	203A	(*)				(*)	
Central Packing Co., Inc	208	(*)					
Heinz Riverside Abattoir	210	(*)					
S. Adams Packing Co	211	(*)					
Penn Packing Co	212					(*)	
Milburn Packing Co	213	(*)					
Kneip Packing Co	213C		(*)				
Fred Dold & Sons Packing	214	(*)					
Lincoln Meat Co	217	(*)					
York Packing Co., Inc	220					(*)	
Gwaltney, Inc	221A					(*)	
Armour & Co	222	(*)					
Hygrade Food Prods. Corp	224	(*)				(*)	
Do	224B	(*)	(*)			(*)	
Gold Merit Packing Co	232	(*)					
Trenton Dressed Beef Co	236	(*)	(*)	(*)			
Raskin Packing Co	237	(*)					
Swift & Co	241	(*)				(*)	
Greenwood Packing Plant	242	(*)	(*)	(*)		(*)	
Maurer Neurer	246	(*)				(*)	
Danahy Packing Co	247	(*)					
Swift & Co	249	(*)				(*)	
Suber Edwards & Co	250	(*)					
Duluth Packing Co	259E						(*)
Pacific Meat Co., Inc	267	(*)					
Houston Packing Co	271	(*)	(*)				
Elliott Packing Co	274	(*)	(*)	(*)		(*)	
Wilson & Co., Inc	275	(*)					
Bookey Packing Co	281	(*)					
Agar Packing Co., Inc	282					(*)	
Solano Meat Co	285	(*)	(*)	(*)			
Roessler Packing Co	286	(*)	(*)	(*)		(*)	
Western Packing Co	288	(*)					
Arbogast & Bastian Co	289	(*)					
San Jose Meat Co	291	(*)					
Sioux City Dressed Pork	292					(*)	
S. Schweid	295	(*)	(*)	(*)			
Waldock Packing Co	299					(*)	
Great Falls Meat Co	301	(*)	(*)	(*)		(*)	
Commercial Packing Co	302	(*)					
Union Packing Co	305A	(*)					
Star Packing Co	306	(*)					
Survall Packing Co	307	(*)					
Melton Prov. Co	311	(*)	(*)	(*)	(*)		
Ideal Packing Co., Inc	312	(*)					
Estes Bros. Packing Co	319	(*)	(*)				
Turlock Meat Co	325	(*)	(*)				
Frisco Packing Co	327	(*)					
C & M Meat Packing Corp	329	(*)	(*)				
Royal Packing Co	331	(*)					
Sakolik Packing Co	331A	(*)					
Shapiro Packing Co., Inc	332	(*)	(*)				
Nobles Ind. Meat Co	335	(*)	(*)				
Des Moines Packing Co	340	(*)					
State Packing Co., Inc	344	(*)		(*)			
Anza Packing Co	345	(*)	(*)	(*)			
Union Packing Co	351	(*)					
Samuels E. Tex. Packing Co	353	(*)					
Fresno Meat Packing Co	354	(*)					
McCandless Packing Co	355	(*)	(*)				
Ed Nimmer, Inc	359		(*)	(*)			
W. S. Marks	362	(*)					
Meyers Packing Co	363	(*)					
United Dressed Beef Co	364	(*)	(*)				
James Allan & Sons	365	(*)		(*)		(*)	
H. Maffat & Co	366	(*)		(*)			
Westport Packing Corp	369	(*)					
Fischer Packing Co	374	(*)					
John Hilberg & Sons	375	(*)	(*)	(*)			
Cross Bros. Meat Packers	376	(*)	(*)	(*)			
Emge Packing Co., Inc	380	(*)	(*)			(*)	
Smithfield Packing, Inc	382					(*)	
American Stores Co	384	(*)					
Dugdale Packing Co	390	(*)					
Oldhams Farm Sausage Co	392					(*)	
Roth Packing Co	394	(*)					
Northside Packing Co	395	(*)	(*)	(*)			
Dubuque Packing Co	396	(*)					
Logan Packing Co	397	(*)					
Watsonville Dressed Beef	398	(*)	(*)				
Superior Packing Co	399	(*)					
Los Banos Abattoir	400	(*)	(*)				
Ceebee Packing Co	404	(*)					
Neuhoff Bros	406	(*)	(*)				
Endlich Packing Co., Inc	410	(*)					
Alpine Packing Co	412	(*)	(*)	(*)	(*)	(*)	
Frosty Morn Meats	414	(*)					
E. W. Kneip, Inc. of Iowa	422	(*)					
Monarch Meat Packing Co	435	(*)					
Queen Packing Corp	436	(*)					
Omaha Dressed Beef Co	441	(*)					
Prime Packing Co., Inc	443	(*)					
Peerless Packing Co., Inc	448	(*)					
Rosenthal Packing Co. of P	451	(*)	(*)				
Dewitt Packing Corp	456	(*)	(*)				
Swift & Co	459					(*)	
Morris Rifkin & Sons	460	(*)					
Pioneer Prov. Co	461	(*)					
Lancaster Packing Co	462	(*)					
Litvak Meat Co	465	(*)					
Cornhusker Packing Co	468	(*)					
Armour & Co	477	(*)	(*)	(*)			
Eldridge Packing Co	478	(*)					
Middletown Packing Co	483	(*)					
St. Cloud Meat Packing Co	485	(*)					
Memphis Butchers Assn	488	(*)	(*)	(*)	(*)	(*)	
Nebr. Beef Co	489	(*)					
Coldring Packing Co	490	(*)		(*)			
Mid State Packers, Inc	494	(*)	(*)				
Roberts Packing Co	495	(*)					
Triangle Meat Distrib	497	(*)					
Heim Bros. Packing Co	499	(*)	(*)			(*)	
Greenlee Packing Co	501	(*)					
Swift & Co	505	(*)					
B. Rothschild & Co	506	(*)					
Gruensfelder Packing Co	508	(*)	(*)	(*)			
Armour & Co	509	(*)	(*)			(*)	
Hull & Dillon Packing Co	510	(*)	(*)			(*)	
Shen Valley Meat Packers	511	(*)					
Capitol Packing Co	513	(*)	(*)	(*)			
Illinois Packing Co	521	(*)					
Pearl Packing Co., Inc	524	(*)	(*)	(*)			
Armour & Co	528	(*)	(*)				
Smallwood Packing Co., Inc	529	(*)					
Omaha Packing Co	532	(*)					

Name of establishment	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Pepper Packing Co	536	(*)				(*)	
Oscar Mayer & Co., Inc	537A	(*)	(*)	(*)		(*)	
Do	537C					(*)	
Midwest Packing Co	538	(*)					
Greendell Packing Corp	542	(*)	(*)				
Swift & Co	548	(*)	(*)			(*)	
Pride Packing Co., Inc	549	(*)	(*)				
Piute Packing Co	550	(*)	(*)				
Salter Packing Co	551	(*)	(*)				
Black Hills Packing Co	554	(*)				(*)	
Mid So. Packers, Inc	557	(*)				(*)	
D. & W. Packing Co	560	(*)					
Illinois Meat Co	564					(*)	
Tex. Meat Packers, Inc	565	(*)	(*)				
Armour & Co	579	(*)					
Kingsford Packing Co	581	(*)					
Stahl Meyer, Inc	583	(*)					
Andrew Peterman & Co	583A						
Coffeyville Packing Co	583B						
F. A. Ferris & Co., Inc	583C						
Peoria Packing Co., Inc	583D						
Swift & Co	591	(*)		(*)		(*)	
Harmon Packing Co	596	(*)		(*)			
Steinbacher Packing Co	597	(*)					
San Antonio Packing Co	602	(*)	(*)	(*)	(*)		
Swift & Co	608	(*)					
Midtown Veal and Mutton	612	(*)	(*)	(*)			
Donner Packing Co	614	(*)					
Kummer Packing Co	617	(*)	(*)	(*)		(*)	
Acme Meat Co., Inc	618	(*)					
Hill Packing Co	623E						(*)
City Packing Co	625	(*)		(*)			
Big Foot Packing Co., Inc	627	(*)					
E. A. Miller & Sons Packing	628	(*)					
H. H. Keim Co	630	(*)	(*)				
General Meat Co	632	(*)					
Ebner Bros. Packers	633	(*)	(*)			(*)	
Auburn Packing Co	636	(*)					
R. & C. Packing Co	645	(*)					
Spencer Packing Co	648	(*)					
W. Schluderberg and T. Kurdle	649	(*)	(*)	(*)		(*)	
Hunter Packing Co	650					(*)	
Milwaukee Dressed Beef Co	654	(*)					
Wilson & Co., Inc	655	(*)		(*)			
Baums Bologna, Inc	657	(*)					
St. Louis Dressed Beef Co	659	(*)					
McCook Packing Corp	660	(*)	(*)				
Quality Meat Packing Co	661	(*)	(*)				
Globe Packing Co	663	(*)					
Scottsbluf Packing Co	667	(*)					
E. S. Read & Sons, Inc	672	(*)					
Union Packing Co	673	(*)					
Theede Packing Co	674	(*)					
Armour & Co	680	(*)	(*)	(*)		(*)	
Cascade Meats, Inc	681	(*)					
Haas Davis Packing Co	682	(*)	(*)			(*)	
Nations Bros. Packing Co	684	(*)	(*)				
William Fockes Sons	685	(*)	(*)			(*)	
Denver Boneless Beef Co	692	(*)	(*)				
Bryan Meat Co	693	(*)	(*)				
Kramer Beef Co	695	(*)					
North Platte Rendering	713E						(*)
Davenport Packing Co	716	(*)					
Crawford County Packing Co	717					(*)	
A. Darlington Strode	718	(*)					
The Joseph N. Rice Co	719	(*)	(*)				
Coast Packing Co	724	(*)					
Swift & Co	726	(*)	(*)	(*)		(*)	
The Quaker Oats Co	734E						(*)
Jacob Schlachters Sons	739	(*)	(*)	(*)			
Ruchti Bros	749	(*)					
Luck Bros. Coop. Packing Co	753	(*)					
Monroe Packing Co., Inc	755	(*)					
Seitz Packing Co	756A	(*)					
Philadelphia Dressed Beef Co	758	(*)					
Earl C. Gibbs, Ind	770	(*)					
Cadwell Martin Meat Co	773	(*)					
Atlas Packing Co	775	(*)					
Dale Packing Co	777	(*)					
Bryan Brothers Packing	780	(*)				(*)	
Diamond Meat Co., Inc	783	(*)	(*)				
Granite State Packing	785	(*)	(*)				
John Pollak Packing Co	788	(*)	(*)				
Baums Meat Packing	792	(*)					
Max Bauer Meat Packer	800	(*)	(*)				
Archie McFarland & Son	811	(*)	(*)	(*)		(*)	
Midwest Packing Co	812	(*)	(*)				
Rochester Ind. Packer, Inc	817	(*)					
Larose Abattoir, Inc	821	(*)					
Henry Meyers Sons, Inc	822	(*)	(*)				
Home Packing Co	823	(*)				(*)	
Hibbs Packing Co	825	(*)					
Penford Packing Co	827	(*)	(*)				
Bristol Packing Co	828	(*)	(*)				
Berchems Meat Co	830	(*)					
Norman Peters Packing Co	834	(*)					
Maurer Neuer	836	(*)					
Frederick Co. Products	838	(*)	(*)	(*)	(*)	(*)	
G. Bartusch Packing Co	843	(*)					
N. J. Garden States Prov	851	(*)					
Sioux City Dressed Beef	857	(*)					
Jordan Meat Co	858	(*)					
Sierra Meat Co	862	(*)	(*)				
J. H. Rodman Graff	863		(*)	(*)			
Christensen Meat Co	865	(*)	(*)				
Long Creek Meat Co	870	(*)					
Midwestern Packing Co	878	(*)	(*)				
Pahler Packing Corp	880	(*)					
Vermont Dressed Beef Co	883	(*)					
Walden Packing Co	886	(*)					
William Davies Co., Inc	888A	(*)	(*)			(*)	
Oneill Packing Co	889	(*)					
Sambol Packing Co	892	(*)					
Tobin Packing Co	893					(*)	
Vernon Calhoun Packing Co	897	(*)					
Meats, Inc	899	(*)	(*)				
Sigman Meat Co., Inc	901	(*)	(*)				
Party Packing Corp	902	(*)					
Hoosier Vet. Labs., Inc	912					(*)	
National Meat Packers	917	(*)	(*)				
S. Philadelphia Dressed Beef	923	(*)	(*)				
Wisconsin Packing Co	924	(*)					
Peoples Packing Co	925	(*)	(*)	(*)		(*)	
The Kerber Packing Co	929	(*)					
Tarpoff Packing Co	931	(*)					
E. B. Manning & Son	934	(*)					
Cappellino Abattoir	939	(*)	(*)				
Wilson & Co., Inc	940	(*)	(*)			(*)	
M. Brizer & Co	948	(*)					
J. Doctorman & Son Packing	949	(*)	(*)	(*)			
The Quaker Oats Co	952E						(*)
Armour & Co	956	(*)				(*)	
Greater Omaha Packing Co	960	(*)					
Virginia Packing Co	963	(*)	(*)	(*)			
Greeley Capitol Packing Co	969	(*)					
Hawaii Meat Co	970	(*)					
Schmulka Bernstein Co	971	(*)					
Perlin Packing Co., Inc	974	(*)	(*)	(*)			
National Food Stores	981	(*)					
Eagle Packing Co	987	(*)					
The Klarer Co	995	(*)	(*)				
Do	995A					(*)	
Do	995C	(*)				(*)	
Clover Packing Co., Inc	1005	(*)	(*)				
Valley Meat Co	1009	(*)	(*)	(*)			
Food Fair Stores, Inc	1016	(*)	(*)	(*)			
Browns Packing House	1154	(*)					
Landy Packing Co	1171	(*)					
A. F. Moyer & Sons, Inc	1311	(*)					
McCabe Packing Plant	1312	(*)	(*)	(*)			
P. & H. Packing Co., Inc	1313	(*)					
H. & H. Packing Co	1315	(*)	(*)				
Nebr. IA Dressed Beef Co	1318	(*)					
MC DE Packing & Processing Co	1353		(*)			(*)	

Done at Washington, D.C., this 26th day of July 1960.

C. H. PALS,
Acting Director, Meat Inspection Division, Agricultural Research Service.

[F.R. Doc. 60-7077; Filed, July 29, 1960; 8:45 a.m]

DEPARTMENT OF COMMERCE

Federal Maritime Board

DIXIE FORWARDING CO., INC., AND HENRY VILA, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 735, 46 U.S.C. 814):

Agreement No. 8513 between Dixie Forwarding Co., Inc., of Houston, Texas, and Henry Vila, Inc., of New York, New York, is a cooperative working arrangement under which the parties will perform freight forwarding services for each other.

Interested persons may inspect this agreement and obtain copies thereof at the Office of Regulations, Federal Maritime Board, Washington, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement, and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 26, 1960.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-7083; Filed, July 29, 1960; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13535; FCC 60M-1297]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Continuing Hearing Conference

In the matter of American Telephone and Telegraph Company, Docket No. 13535; regulations and charges for switching and selecting equipment (common user group) for use with channels of telephone grade furnished for the remote operation of mobile radiotelephone systems and for channel terminals and terminal equipment in connection with Schedule 5 channels for data transmission. (Filed on behalf of the Lincoln-Tillamook Telephone Company.)

The Hearing Examiner having before him a motion filed by the Chief, Common Carrier Bureau, on July 21, 1960, to postpone prehearing conference in the above-entitled proceeding from July 26, 1960, to September 26, 1960; and

It appearing that negotiations are in progress for the filing of a new tariff containing rates which will be substantially changed and would be materially less than the rates being investigated, a step which might avoid the necessity of hearing in this proceeding; and

It further appearing that all other parties to the proceeding have consented to the continuance requested;

It is ordered, This 25th day of July 1960, that the motion described above is granted; and the pre-hearing conference now scheduled for July 26, 1960, is continued to September 26, 1960, at 2:00 p.m.

Released: July 26, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7122; Filed, July 29, 1960; 8:50 a.m.]

[Docket Nos. 13086, 13088; FCC 60M-1302]

BEACON BROADCASTING SYSTEM, INC., AND SUBURBAN BROADCASTING CO., INC.

Order Scheduling Hearing

In re applications of Beacon Broadcasting System, Inc., Grafton-Cedarburg, Wisconsin, Docket No. 13086, File No. BP-10518; Suburban Broadcasting Co., Inc., Jackson, Wisconsin, Docket No. 13088, File No. BP-12802; for construction permits for standard broadcast stations.

The Hearing Examiner having under consideration the petition to designate hearing date filed herein on April 25, 1960, by the Suburban Broadcasting Co., Inc. and the opposition thereto filed by Beacon Broadcasting System, Inc.;

It appearing that the proceeding was continued without date pending consideration by the Federal Aviation Agency of the antenna proposal of Beacon Broadcasting System, Inc., which action it can reasonably be anticipated will be completed within the near future;

It is ordered, This 26th day of July 1960 that the said petition is granted and further hearing herein is scheduled for September 1, 1960, commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C.

Released: July 26, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7123; Filed, July 29, 1960; 8:50 a.m.]

[Docket No. 13682]

WILLIAM L. BRADFORD, JR.

Order Assigning Matter for Public Hearing

In the matter of William L. Bradford, Jr., Los Angeles, California, Docket No. 13682; suspension of amateur radio operator license (K6YDQ).

The Commission having under consideration the request of William L. Bradford, Jr., 6561 West 85th Street, Los Angeles 45, California, for a hearing in the above-entitled matter;

It appearing that the said William L. Bradford, Jr., acting in accordance with the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, filed with the Commission within the time specified therefor, an application requesting a hearing on the Commision's Order released on June 13, 1960, which suspended his General Class Amateur Radio Operator License for a period of three months;

It further appearing that under the provisions of section 303(m)(2) of the Communications Act of 1934, as amended, the said licensee is entitled to a hearing in the matter and that, upon his filing of a timely written application therefor, the Commission's Suspension Order is held in abeyance until the conclusion of proceedings in the hearing;

It is ordered, This 20th day of July 1960, under authority contained in section 303(m)(2) of the Communications Act of 1934, as amended, and section 0.292(f) of the Commission's Statement of Delegations of Authority that the matter of the suspension of the General Class Amateur Radio Operator License of William L. Bradford, Jr., be designated for hearing before a Commission Examiner (at a time and place later to be specified) upon the following issues:

1. To determine whether the licensee committed the violations of the Commission's Rules as set forth in the Commission's Order of Suspension;

2. If the licensee committed such violations, to determine whether the facts or circumstances in connection therewith would warrant any change in the Commission's Order of Suspension.

It is further ordered, That a copy of this order be transmitted by Certified Mail, Return Receipt Requested, to Mr. William L. Bradford, Jr., 6561 West 85th Street, Los Angeles 45, California.

Released: July 25, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7124; Filed, July 29, 1960; 8:50 a.m.]

[Docket No. 13685; FCC 60M-1307]

CALOJAY ENTERPRISES, INC.

Order Scheduling Hearing

In re application of Calojay Enterprises, Inc., Indianapolis, Indiana, Docket No. 13685, File No. BPH-3013; for construction permit (FM).

It is ordered, This 26th day of July 1960, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 10, 1960, in Washington, D.C.

Released: July 27, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7125; Filed, July 29, 1960; 8:50 a.m.]

[Docket No. 13683; FCC 60M-1305]

CUSIMANO CONSTRUCTION CORP.

Order Scheduling Hearing

In the matter of Cusimano Construction Corp., 417 Crain Highway, S.E., Glen Burnie, Maryland, Docket No. 13683; order to show cause why there should not be revoked the License for Special Industrial Radio Station KGF-456.

It is ordered, This 26th day of July 1960, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 7, 1960, in Washington, D.C.

Released: July 27, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7126; Filed, July 29, 1960; 8:50 p.m.]

[Docket No. 13684; FCC 60M-1306]

HORNE OIL CO.

Order Scheduling Hearing

In the matter of Horne Oil Company, Box 226, Provo, Utah, Docket No. 13684; order to show cause why there should not be revoked the License for Special Industrial Radio Station KOM-765.

It is ordered, This 26th day of July 1960, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 6, 1960, in Washington, D.C.

Released: July 27, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7127; Filed, July 29, 1960; 8:50 a.m.]

[Docket Nos. 12991, 12992; FCC 60M-1294]

SUBURBAN BROADCASTING CO., INC., AND CAMDEN BROADCASTING CO.

Order Continuing Hearing

In re applications of Suburban Broadcasting Company, Inc., Mount Kisco, New York, Docket No. 12991, File No. BPH-2620; Donald Jerome Lewis, tr/as Camden Broadcasting Co., Newark, New Jersey, Docket No. 12992, File No. BPH-2624; for construction permits for new FM broadcast stations.

The Hearing Examiner having under consideration the joint oral request of the above-captioned applicants for a continuance of the hearing presently scheduled for July 25, 1960;

It appearing that the parties are negotiating for an agreement which would render the issues in this case moot; and

It further appearing that all other parties to the proceeding have consented to a grant of the requested continuance, and that good cause has been shown therefor;

It is ordered, This 22d day of July 1960, that the oral request is granted, and that the hearing presently scheduled for July 25, 1960, be, and the same is, hereby continued to a date to be set by subsequent order.

Released: July 25, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7129; Filed, July 29, 1960; 8:50 a.m.]

[Docket No. 13686; FCC 60M-1308]

LAWRENCE SHUSHAN

Order Scheduling Hearing

In re application of Lawrence Shushan, Santa Barbara, California, Docket No. 13686, File No. BPH-2994; for construction permit (FM).

It is ordered, This 26th day of July 1960, that David I. Kraushaar will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 10, 1960, in Washington, D.C.

Released: July 27, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7128; Filed, July 29, 1960; 8:50 a.m.]

[Docket Nos. 13687, 13688; FCC 60M-1309]

VALLEY TELECASTING CO. AND CENTRAL WISCONSIN TELEVISION, INC.

Order Scheduling Hearing

In re applications of Valley Telecasting Company, Wausau, Wisconsin, Docket No. 13687, File No. BPCT-2709; Central Wisconsin Television, Inc., Wausau, Wisconsin, Docket No. 13688, File No. BPCT-2738; for construction permits for new television broadcast stations (Channel 9).

It is ordered, This 26th day of July 1960, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 5, 1960, in Washington, D.C.

Released: July 27, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-7130; Filed, July 29, 1960; 8:50 a.m.]

CIVIL SERVICE COMMISSION

CERTAIN SURVEY TECHNICIAN POSITIONS IN CALIFORNIA

Notice of Increase in Minimum Rates of Pay

Under the provisions of section 803 of the Classification Act of 1949, as amended (68 Stat. 1106; 5 U.S.C. 1133), pursuant to 5 CFR 25.103, 25.105, the Commission has increased the minimum rate of pay in California for Survey Technician positions in Series GS-817-0 as follows:

GS-5—$4,510 (second step).
GS-6—$4,995 (second step).
GS-7—$5,520 (second step).
GS-8—$6,050 (second step).

The increases will be effective on the first day of the first pay period which begins after July 29, 1960.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 60-7082; Filed, July 29, 1960; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP60-58]

EL PASO NATURAL GAS CO.

Notice of Application and Date of Hearing

JULY 22, 1960.

Take notice that on March 14, 1960, El Paso Natural Gas Company (Applicant) filed in Docket No. CP60-58 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities for the acquisition, compression, processing and transportation of additional volumes of natural gas at Applicant's existing Goldsmith Compressor Station in Ector County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The proposed facilities consist of (a) two additional 2,000 horsepower compressor units, turbo-charger modifications for 12 existing compressor units and appurtenances necessary to operate said facilities, thus increasing the total compressor capacity at the subject station by 6,800 horsepower, and (b) equipment necessary to increase the capacity of Applicant's Goldsmith Purification and Dehydration Plant approximately 58,000 Mcf per day.

The total estimated cost of the aforesaid facilities is $3,930,000, which would be financed from working funds or by short term bank loans as required.

Applicant states that the additional quantities of natural gas to be compressed and processed by use of the facilities for which authorization is sought herein will become available by reason of the termination of the sale of 38,000 Mcf of natural gas presently being made to Sid Richardson Carbon Company (this abandonment of sale was authorized in Docket No. G-16137), which gas will now be processed through Applicant's Goldsmith Plant, and by reason of continuing development of the gas producing fields connected to Phillips Petroleum Company's Goldsmith Gasoline Plant resulting in additional quantities of gas which are available to Applicant

under existing contracts between Phillips and Applicant.

These additional gas supplies will be used to augment Applicant's overall gas supply. No additional sales are proposed as a result of installation of the facilities which are the subject of this application.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 25, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 15, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-7093; Filed, July 29, 1960; 8:46 a.m.]

[Docket Nos. CP60-70, CP60-74]

MICHIGAN GAS STORAGE CO. AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application and Date of Hearing

JULY 25, 1960.

Michigan Gas Storage Company, Docket No. CP60-70; Panhandle Eastern Pipe Line Company, Docket No. CP60-74.

Take notice that on March 28, 1960, as supplemented on May 2, 1960, Michigan Gas Storage Company (Michigan Gas) filed in Docket No. CP60-70 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of metering and regulating facilities at three new delivery points on Michigan Gas' existing pipelines for the delivery of natural gas to Consumers Power Company (Consumers) for distribution and resale in certain communities which heretofore have had no gas service, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

The communities proposed to be served, all in the State of Michigan, and the facilities necessary therefor are:

(a) the Villages of Perry and Morrice in Shiawassee County which will be served from a proposed delivery point on Michigan Gas' 24-inch Laingsburg Junction to Clarkston Junction pipeline;

(b) the City of Laingsburg, Shiawassee County, which will be served from another proposed delivery point on the Laingsburg Junction to Clarkston Junction pipeline; and

(c) the Village of Birch Run, Saginaw County, which will be served from a proposed delivery point on Panhandle Eastern Pipe Line Company's (Panhandle) 12¾-inch Bridgeport Junction to Clio Junction pipeline.

The total estimated cost of Michigan Gas' facilities proposed under this application is $53,000 which will be paid from cash on hand. This includes reimbursement to Panhandle for the proposed connection for the Village of Birch Run.

Take further notice that on March 28, 1960, Panhandle Eastern Pipe Line Company filed in Docket No. CP60-74 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of the aforementioned delivery connection on Panhandle's Bridgeport-Clio pipeline for redelivery to Consumers for distribution in Birch Run.

The total estimated annual and peak day requirements for the four communities involved herein are:

	1st year	2d year	3d year
Peak day (Mcf)	965	1,060	1,157
Annual (Mcf)	133,930	147,597	161,688

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 25, 1960, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 15, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-7094; Filed, July 29, 1960; 8:46 a.m.]

[Docket No. G-19461]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

JULY 25, 1960.

Take notice that on September 16, 1959, Panhandle Eastern Pipe Line Company (Applicant) filed an application, as supplemented on November 6, 1959, March 16, 1960, and May 13, 1960, pursuant to section 7 of the Natural Gas Act, seeking authorization to conduct storage and production testing operations in its Waverly storage field all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant indicates that since 1952 it has been developing the Waverly storage field in Morgan and Sangamon Counties, Illinois. Preliminary testing of this field was conducted in 1954 and 1955, and was followed by injection and storage testing from 1956 to the date of application. It proposes to conduct production testing upon authorization by the Commission. Studies would be made and tests conducted to determine various rates of withdrawal that may be possible of attainment. No authorization is sought for any sale of gas which would be dependent on the Waverly storage field.

Applicant estimates that the total cost of the testing operations would be approximately $5,000,000 of which about $2,422,000 has already been expended. Applicant has financed and intends to continue to finance the cost of the storage program from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 22, 1960.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-7095; Filed, July 29, 1960; 8:46 a.m.]

[Docket No. CP60-11]

SOUTH GEORGIA NATURAL GAS CO.

Notice of Application and Date of Hearing

JULY 25, 1960.

Take notice that South Georgia Gas Company (Applicant), a Georgia corporation having its principal place of business in Thomasville, Georgia, filed on January 18, 1960, an application and on March 25, April 18, and May 16, 1960, supplements thereto, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation

of certain facilities, as hereinafter described, for the transportation and sale of natural gas to the cities of Ocilla and Sylvester, Georgia for resale to the public, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to construct and operate a lateral from its existing pipeline (Tifton-Fitzgerald lateral) to the City of Sylvester consisting of approximately 1.4 miles of 3.5-inch O.D. pipeline at an estimated cost of $16,408 and a lateral to the City of Ocilla consisting of approximately 0.4 mile of 3.5-inch O.D. pipeline at an estimated cost of $4,943 and meter and regulating stations for Sylvester at an estimated cost of $6,800 and for Ocilla at an estimated cost of $5,300.

The estimated peak day and annual requirements for each of said cities for the first four years of operation are as follows:

	1960 total	1960-61 peak day	1961 total	1961-62 peak day	1962 total	1962-63 peak day	1963 total	1963-64 peak day
Ocilla	4,161	273	25,874	332	31,803	424	38,779	469
Sylvester	6,583	442	41,100	552	50,150	621	55,400	642
Totals	10,744	715	66,974	884	81,953	1,045	94,179	1,111

Applicant purchases its supply of natural gas from Southern Natural Gas Company (Southern Natural) with which it has a service agreement providing for a present contract demand of 30,550 Mcf and a contract demand of 36,720 Mcf to become effective November 1, 1960. This contract further provides that in the event Applicant's requirements should exceed the quantity specified, the parties will negotiate in good faith to reach an agreement covering the supply of such additional requirements. Southern Natural has advised Applicant that it is willing to increase Applicant's contract demand to include the above estimated third year requirements for Sylvester and Ocilla.

This application proposes service denied by the Commission in its Opinion No. 325 issued August 7, 1959, without prejudice to said municipalities making a future showing of projects which are economically feasible.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 22, 1960, 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 12, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60-7097; Filed, July 29, 1960; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3090]

GENERAL TELEPHONE COMPANY OF FLORIDA

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

JULY 26, 1960.

New York Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: Holders number only 101 and 133 for the $1.30 and the $1.32 Preferred Stocks respectively. The $1.30 Preferred B Stock is not included in this application.

Upon receipt of a request, on or before August 12, 1960, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 60-7104; Filed, July 29, 1960; 8:47 a.m.]

[File No. 812-1321]

INVESTORS SYNDICATE OF AMERICA, INC.

Notice of Filing of Amendment to Depositary Agreement of Face-Amount Certificate Company

JULY 25, 1960.

Notice is hereby given that Investors Syndicate of America, Inc. ("ISA"), a registered face-amount certificate company, has filed an application seeking the approval of an amendment to a depositary agreement pursuant to section 28(c) of the Investment Company Act of 1940 ("Act"), which amendment was executed in connection with the proposed issuance and sale by ISA of Single Payment Certificates, Series C.

ISA is issuing and proposes to continue to issue face-amount certificates which are subject to the deposit and maintenance of assets under section 28(c) of the Act. The Commission, by orders dated November 16, 1940, June 28, 1948 and August 18, 1953 (Investment Company Act Release Nos. 18, 792 and 1895 respectively) granted applications by ISA with respect to the approval of depositary agreements between it and The Marquette National Bank ("Bank") or with some other trustee or trustees having the qualifications required by paragraph 1 of section 26(a) of the Act, under which ISA is required to deposit and maintain with the Bank qualified assets equivalent to all reserve liabilities of outstanding certificates.

The Series C Certificates are being registered under the Securities Act of 1933. Under the amended depositary agreement, for which approval is being sought, ISA undertakes to deposit and maintain with the Bank qualified investments and reserves as required by section 28 of the Act with the respect to the new Series C certificates upon the terms and conditions specified in said agreement.

Section 28(c) provides, among other things, that the Commission shall by rule, regulation, or order, in the public interest or for the protection of investors, require a registered face-amount certificate company to deposit and maintain, upon such terms and conditions as the Commission shall prescribe and as are appropriate for the protection of investors, with one or more institutions having the qualifications required by section 26(a)(1) of the Act for a trustee of a unit investment trust, all or any part of the investments maintained by such company as certificate reserve requirements under the provisions of section 28(b) of the Act.

Notice is further given that any interested person may, not later than August 12, 1960 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by

a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 60–7105; Filed, July 29, 1960; 8:47 a.m.]

[File No. 1–507]

F. E. MYERS AND BRO. CO.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

JULY 26, 1960.

In the matter of F. E. Myers & Bro. Company, Common Stock, File No. 1–507.

New York Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2–1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: Stockholders of the Company have adopted a plan for the complete liquidation of the Company and an initial liquidating distribution has been made.

Upon receipt of a request, on or before August 12, 1960, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 60–7106; Filed, July 29, 1960; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 27, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36441: *Substituted service—C&NW for Western Transportation Company.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 43), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Chicago, Ill., and Clinton, Iowa, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Central States Motor Freight Bureau, Inc., tariff MF–I.C.C. 953.

FSA No. 36442: *Substituted service—CRI&P for Interstate Motor Freight Systems, et al.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 44), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Chicago, Ill., and Moline, Ill., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Central States Motor Freight Bureau, Inc., tariff MF–I.C.C. 953.

FSA No. 36443: *Substituted service—Wabash for Arkansas—Best Freight System, Inc., et al.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 47), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars (1) between Chicago, Decatur and East St. Louis, Ill., on the one hand, and Buffalo, N.Y., and Detroit, Mich., on the other, (2) between East St. Louis, Ill., on the one hand, and Chicago, Ill., and Fort Wayne, Ind., on the other, (3) Chicago, Ill., and Toledo, Ohio, and (4) Detroit, Mich., and Buffalo, N.Y.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Central States Motor Freight Bureau, Inc., tariff MF–I.C.C. 953.

FSA No. 36444: *Substituted service—PRR for Chaney Transportation Company, et al.* Filed by Middle Atlantic Conference, Agent (No. 29), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Hagerstown, Md., on the one hand, and Kearny, N.J., and Philadelphia, Pa., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Middle Atlantic Conference tariff I.C.C. 13, MF–I.C.C. A–1102.

FSA No. 36445: *Substituted Service—C&O for The Akron-Chicago Transportation Company, Inc., et al.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 42), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Chicago, Ill., on the one hand, and Buffalo, N.Y., Cincinnati, Ohio and Saginaw, Mich., on the other, and between Detroit, Mich., and Buffalo, N.Y., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Central States Motor Freight Bureau, Inc., tariff MF–I.C.C. 953.

FSA No. 36446: *Class and commodity rates from and to Tennessee points.* Filed by O. W. South, Jr., Agent (SFA No. A3998), for interested rail carriers. Rates on property moving on class and commodity rates, in carloads and less-than-carloads between Greenland, New Canton, Church Hill and Holston, Tenn., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief: Short-line distance formula and grouping.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 60–7109; Filed, July 29, 1960; 8:47 a.m.]

[Notice 6]

CHICAGO AND EASTERN ILLINOIS RAILROAD CO.

Applications for Loan Guaranties

JULY 26, 1960.

Notice is hereby given of the filing of the following application under part V of the Interstate Commerce Act:

Finance Docket No. 21210 filed July 21, 1960, by Chicago and Eastern Illinois Railroad Company, 332 South Michigan Avenue, Chicago 4, Illinois, for guaranty by the Interstate Commerce Commission of a loan in amount not exceeding $3,000,000. Applicant's representative: Patrick C. Mullen, General Counsel, Chicago and Eastern Illinois Railroad Company, 332 South Michigan Avenue, Chicago 4, Illinois. Loan is for the purpose of reimbursing applicant's treasury for expenditures made from its own funds after January 1, 1957, for additions and betterments and other capital improvements.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 60–7110; Filed, July 29, 1960; 8:48 a.m.]

[Notice 355]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 27, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 63154. By order of July 25, 1960, the Transfer Board approved the transfer to John T. Forsyth, Helen T. Forsyth, and Paul B. Forsyth, a partnership, doing business as Forsyth Trucking Co., Batavia, N.Y., of Certificate in No. MC 7690, and Permit No. MC 107873, issued January 24, 1942, and August 7, 1947, respectively, to John T. Forsyth and Helen T. Forsyth, a partnership, doing business as Forsyth Trucking Company, Batavia, N.Y., authorizing the transportation of: General commodities with the usual exceptions including household goods and commodities in bulk; and, equipment and materials for the construction, maintenance and repair of communication systems, between specified points in New York. John J. Forsyth, 339 East Avenue, Rochester 4, N.Y., for applicants.

No. MC–FC 63329. By order of July 25, 1960, the Transfer Board approved the transfer to Marie Morris, doing business as Vandalia Transfer Co., Vandalia, Illinois, of the operating rights authorized to Charles Morris and Marie Morris, a Partnership, doing business as Vandalia Transfer Co., Vandalia, Illinois, in Certificate No. MC 2350, issued February 4, 1954, authorizing the transportation, over regular routes, of general commodities, excluding household goods and commodities in bulk, between St. Elmo, Ill., and St. Louis, Mo., and between Mulberry Grove, Ill., and St. Louis, Mo., and over irregular routes, of agricultural commodities, from Strasburg, Ill., and points within 25 miles of Strasburg, to St. Louis, Mo., agricultural implements and machinery, between St. Louis, Mo., on the one hand, and, on the other, points in Fayette County, Ill., and general commodities, excluding household goods and commodities in bulk, from St. Louis, Mo., to Strasburg, Ill., and points within 25 miles of Strasburg. Delmar O. Koebel, 406 Missouri Avenue, East St. Louis, Ill., for applicants.

No. MC–FC 63372. By order of July 25, 1960, the Transfer Board approved the transfer to Coulter Bus Line, Inc., South Yarmouth, Mass., of a portion of Certificate No. MC 115099, issued May 11, 1955, to Falmouth Bus and Taxi Co., Inc., Falmouth, Mass., authorizing the transportation of: Passengers and their baggage and express, mail and newspapers in the same vehicle with passengers, and baggage of passengers in a separate vehicle, between Hyannis, Mass., and Chatham, Mass., serving all intermediate points. George C. O'Brien, Attorney, 33 Broad Street, Boston, Mass. Frank Daniels, Attorney, 11 Beacon Street, Boston, Mass.

No. MC–FC 63383. By order of July 25, 1960, the Transfer Board approved the transfer to Bonnie Movers, Inc., Brooklyn, N.Y., of certificate in No. MC 91838, issued January 31, 1949, to Benjamin Murphy, Eugene Murphy and Margaret Shade, a partnership, doing business as Murphy Bros., New York, N.Y., authorizing the transportation of: Household goods, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, New Jersey, and New York. David Brodsky, Brodsky and Lieberman, Attorneys, 1776 Broadway, New York 19, N.Y., for applicants.

No. MC–FC 63399. By order of July 25, 1960, the Transfer Board approved the transfer to Edwin B. Prout, doing business as W. F. Prout & Sons, Dorchester, Mass., of Certificate No. MC 89111 issued March 21, 1956, to W. W. Welch, Inc., Medford, Mass., authorizing the transportation: over irregular routes, of refrigerators, refrigerating units, ranges, washing machines, water coolers, water-cooling equipment, electrical appliances, air-conditioning units, and display and show materials pertaining to such commodities, between Boston, Mass., and points within 25 miles of Boston, on the one hand, and, on the other, all points in Connecticut, Maine, Massachusetts, Rhode Island, and Vermont; commodities specified above, or materials pertaining thereto when solely for display and show purposes, between Boston, Mass., and points within 25 miles of Boston, on the one hand, and, on the other, all points in New Hampshire; new furniture, crated and uncrated, other than new furniture included in household goods description as defined by the Commission, from Boston, Mass., to all points in Massachusetts and New Hampshire; new furniture, between Nashua, N.H. and Boston, Mass., and points within 5 miles of Boston, on the one hand, and, on the other, Baltimore, Md., Washington, D.C., Richmond, Va., all points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont, those in Pennsylvania within 25 miles of Philadelphia, Pa., including Philadelphia, and those in New York within 20 miles of New York, N.Y., including, New York, N.Y.; general commodities, excluding household goods, commodities in bulk, and various specified commodities, between Boston, Mass., on the one hand, and, on the other, points in Massachusetts within 25 miles of Boston. Kenneth B. Williams, 111 State Street, Boston 9, Mass., for transferor, Mary E. Kelley, 10 Tremont Street, Boston 9, Mass., for transferee.

No. MC–FC 63405. By order of July 25, 1960, the Transfer Board approved the transfer to H. W. English, Inc., Hood River, Oreg., of Certificates Nos. MC 1677 and MC 1677 Sub 4, issued August 20, 1956 and December 13, 1949, respectively, to Harry W. English, doing business as H. W. English, Hood River, Oreg., authorizing the transportation of: Fruit, from points in Hood River County, Oreg., to points in Klickitat County, Wash.; explosives and other dangerous articles, from Du Pont, Wash., to points in Oregon, and from points in Hood River County, Oreg., to points in Skamania, Klickitat, Walla Walla, and Columbia Counties, Wash.; forest products, between points in Hood River County, Oreg., on the one hand, and, on the other, points in Klickitat and Skamania Counties, Wash.; lumber, between Mosier, Oreg., and points in Hood River County, Oreg., on the one hand, and, on the other, points in Clark, Skamania, Yakima, Klickitat, Benton, Franklin, Walla Walla, and Columbia Counties, Wash., and between Portland, Oreg., and Dee, Oreg.; explosives and other dangerous articles and blasting supplies, between Portland and Haskell, Oreg., on the one hand, and, on the other, points in Skamania, Klickitat, Walla Walla, Columbia, Benton, Franklin, and Yakima Counties, Wash.; road building machinery and related contractor's equipment and supplies when transportation is incidental to the transportation of road building machinery, between points in Hood River and Wasco Counties, Oreg., on the one hand, and, on the other, points in Skamania, Klickitat, Clark, Cowlitz, Yakima, Adams, Grant, Lincoln, Benton, Columbia, Asotin, Garfield, Whitman, and Franklin Counties, Wash.; and lumber and lumber products, from points in Hood River County, Oreg., to points in Adams, Grant, and Lincoln Counties, Wash. Robert R. Hollis, 1121 Equitable Building, Portland 4, Oreg., for applicants.

No. MC–FC 63407. By order of July 25, 1960, the Transfer Board approved the transfer to Gerald L. Kramer, Quakertown, Pa., of Certificate in No. MC 49293, issued June 30, 1937, to Wallace J. Becker, Allentown, Pa., authorizing the transportation of: Such materials as are used in the construction of buildings and highways, over irregular routes, between Allentown and Riegelsville, Pa., on the one hand, and, points in New Jersey within 25 miles of Riegelsville, on the other. William J. Wilcox, 624 Commonwealth Building, Allentown, Pa., for applicants.

No. MC–FC 63417. By order of July 25, 1960, the Transfer Board approved the transfer to Olen Kelly and Clay Kelly, doing business as Nevada Transfer and Storage Company, Nevada, Mo., of Certificate No. MC 1912, issued September 16, 1949, to Olen Kelly, doing business as Nevada Transfer & Storage Company, Nevada, Mo., authorizing the transportation of: Household goods, between Nevada, Mo., and points in Missouri within 25 miles of Nevada, on the one hand, and, on the other, points in Kansas. Everett E. Teel, First National Bank Building, Nevada, Mo., for applicants.

No. MC–FC 63421. By order of July 25, 1960, the Transfer Board approved the transfer to A. J. Metler Hauling and

Rigging, Inc., Knoxville, Tenn., of the operating rights authorized to A. J. Metler, Knoxville, Tenn., in Certificate No. MC 108676, issued April 5, 1951, authorizing the transportation, over irregular routes, of contractors' machinery and equipment and coal and coke mining machinery equipment, and vehicles, between Knoxville, Tenn., and points within 75 miles of Knoxville, on the one hand, and, on the other, points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, of mine cars and iron or steel conveying, dredging, dumping or hoisting buckets, dippers or skips, between the above-specified origin points on the one hand, and, on the other, points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, and marble and iron and steel articles, between Knoxville, on the one hand, and, on the other, points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia. Fred G. Asquith, Bank of Knoxville Building, Knoxville 2, Tennessee, for applicants.

No. MC-FC 63429. By order of July 25, 1960, the Transfer Board approved the transfer to J. P. Thomas, Jr., Emporia, Kansas, of a Certificate in No. MC 987, issued April 9, 1943, to B. P. Martin, Paul Martin, and Bernard Martin, a partnership, doing business as B. P. Martin & Sons, Emporia, Kansas, which authorizes the transportation of livestock, farm machinery and parts, hides, wool, seeds, furniture, and other specific commodities from, to, and between, specified points in Kansas and Missouri. J. Wm. Townsend, Townsend, Jandera & Hope, 641 Harrison Street, Topeka, Kans., for applicants.

No. MC-FC 63433. By order of July 25, 1960, the Transfer Board approved the transfer to J. Leo Talbot, Glover Street, Barton, Vermont, of Permit No. MC 22862, issued December 6, 1954, in the name of Talbot & Roy Company, Inc., Glover Street, Barton, Vermont, authorizing the transportation of telephone poles, over irregular routes, from St. Johnsbury, Vt., and Montpelier, Vt., to all points in Vermont and New Hampshire; and between points in a territory comprising points in Vermont and points in those towns in New Hampshire that adjoin the New Hampshire-Vermont State line.

No. MC-FC 63435. By order of July 25, 1960, the Transfer Board approved the transfer to Todd Transport Company, Inc., Secretary, Maryland, of a Certificate issued December 17, 1951, to Harry Harrington Todd, doing business as Todd Transport Co., Secretary, Maryland, which authorizes the transportation of lumber, canned goods, agricultural commodities, shingles, commercial fertilizers, oysters, shucked or in the shell, fish, fresh fruits, and oysters, shucked or in the shell, from, to and between, specified points in Virginia, Maryland, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Pennsylvania, Delaware, New Jersey, New York, and Washington, D.C.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 60-7111; Filed, July 29, 1960; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 26, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36436: *Substituted service—C&O and PRR for Falwell Fast Freight, Inc.* Filed by Middle Atlantic Conference, Agent (No. 28), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Charleston, W. Va., on the one hand, and Baltimore, Md., Kearny, N.J., and Philadelphia, Pa., on the other, on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Middle Atlantic Conference tariff I.C.C. 13, MF-I.C.C. A-1102.

FSA No. 36437: *Silica sand—Southwest to New Orleans, La.* Filed by Southwestern Freight Bureau, Agent (No. B-7855), for interested rail carriers. Rates on silica sand, in carloads from Guion, Ark., Ludwig, Mo., Gate, Mill Creek, Roff, Okla., and Santa Anna, Tex.

Grounds for relief: Market competition.

Tariff: Supplement 65 to Southwestern Freight Bureau tariff I.C.C. 4319.

FSA No. 36438: *Substituted service—IC for Southern-Plaza Express, Inc.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 45), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Chicago, Ill., and East St. Louis, Ill., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 1 to Central States Motor Freight Bureau tariff MF-I.C.C. 953.

FSA No. 36439: *Substituted service—PRR for Arkansas-Best Freight System, Inc., et al.* Filed by Central States Motor Freight Bureau, Inc., Agent (No. 48), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between (1) Chicago, Ill., on the one hand, and Cincinnati, Dayton and Toledo, Ohio and Indianapolis, Ind., on the other, (2) East St. Louis, Ill., on the one hand, and Cleveland, Columbus and Dayton, Ohio, and Indianapolis, Ind., on the other, and (3) Buffalo, N.Y., on the one hand, and Cincinnati, and Columbus, Ohio, and Louisville, Ky., on the other.

Grounds for relief: Motor truck competition.

Tariff: Supplement 1 to Central States Motor Freight Bureau, Inc., tariff MF-I.C.C. 953.

FSA No. 36440: *Iron and steel pipe—Ohio and Pennsylvania to southwest.* Filed by Southwestern Freight Bureau, Agent (No. B-7854), for interested rail carriers. Rates on iron and steel pipe and related articles, in carloads, as described in the application from specified points in Ohio and Pennsylvania to points in Arkansas, Louisiana, New Mexico, Oklahoma and Texas.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 210 to Southwestern Freight Bureau tariff I.C.C. 4116.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 60-7061; Filed, July 28, 1960; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during July.

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